United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, JUNE 12, 2007 No. 94

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, Your promises are sure. Bless our lawmakers in all their undertakings. In their friendships, keep them faithful and true. In their emotions, keep them calm and serene. Free them from anxiety and care. In their material things, give them contentment and generosity. In their spiritual lives, deliver them from doubts and distrust. In their work, give them guidance and success. And if misfortune comes, use the trials to bring them closer to each other and to You. Let nothing shake their certainty that You alone are sovereign over their lives.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 12, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today the Senate will be in a period of morning business for 60 minutes. The Republicans will control the first half, the Democrats the second half. Following this period of morning business, the Senate will resume postcloture debate on the motion to proceed to H.R. 6, the Energy bill.

We have consent to move to the bill itself after the caucuses end at 2:15 today. The motion to proceed will be agreed to, and the Senate will begin consideration of the energy legislation. Senators BINGAMAN, DOMENICI, we understand BOXER and INHOFE and INOUYE, or his designee, and STEVENS, will come and talk about this bill. Hopefully, they will do it this morning to lay the groundwork for this very important piece of legislation.

As with the competitiveness bill, this is a bipartisan bill. I remind everyone, matters that the Energy Committee reports out of their committee on a bipartisan basis are part of this bill. The same applied to Commerce; the same applied to the Environment and Public Works Committee.

Those matters the chairmen wanted out of those committees that were not bipartisan are not part of this bill. This is truly a bipartisan bill. There will be amendments offered to weaken the bill, to strengthen the bill—of course, the understanding of those words is in the eyes of the beholder.

I hope this will be a good, strong debate. I hope people will offer amendments. We have a limited amount of time to complete a lot of work. If there are long delays, people not offering amendments, I know the managers will be saying we have to end this some way, and the ''some way'' that we are always forced to look at is whether we want to have a bipartisan cloture vote on ending debate.

Let's have people who want to offer amendments do it as quickly as possible. I have asked the managers of the bill, rather than wait around for people who say: I don't know if I want a vote on this, we need more time—after there has been a reasonable amount of time discussing one of these amendments, the managers should move to table the amendment. If it is not tabled, nothing is lost. We need to move along and get this legislation completed as quickly as possible.

Gas prices are going down. They have dropped a few cents the last week or two, which is good. The cost of oil coming into this country has gone up. It is now at $67 and people are saying it is going up higher, which will mean there will be an increase at the gas pumps a month or so after the cost of oil importation increases.

Remember, we have an obligation with this legislation. This legislation, which some people say is not strong enough, if it passes, will cut the amount of oil we use per day in this country by 4 million barrels. Think about that, 4 million barrels a day. This is a step in the right direction. I hope we can do this.

The setting for this is, among other things, we use 21 million barrels of oil every day. We import 65 percent of that. As I said yesterday in illustration of how much this is, it is a ditch 150 feet deep and 11 miles long filled with oil. That is how much we use every day.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

We have an obligation to the American people to lessen our dependence, to make that ditch shorter and not nearly as deep.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ENERGY

Mr. MCCONNELL. Mr. President, with regard to the Energy bill the majority leader was speaking to, we have a pretty good sense on this side what important amendments will need to be disposed of. We hope to move forward on those amendments early in the process. Provided we are given fair treatment on getting up our amendments and voted on, I certainly agree with the majority leader this is an important issue, an issue that needs to be disposed of in the very near future. We will be working with him to get that bill to conclusion at the earliest possible time.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for not to exceed 60 minutes, equally divided between the two leaders or their designees, with the first half of the time under the control of the Republicans, the second half of the time under the control of the majority, and with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Texas is recognized.

ENERGY

Mr. CORNYN. Mr. President, a story in today's Los Angeles Times states that the approval rating of Congress is the lowest in a decade. The poll reported in today's Los Angeles Times says 27 percent of Americans approve of how Congress is doing its job, and most see business as usual. After Congress has diverted its attention from what I consider to be the most important domestic issue confronting the Nation today; that is, fixing our broken borders and actually enforcing our immigration laws, in order to have a vote of no confidence on the Attorney General in what is clearly a political exercise rather than anything that would produce a meaningful result, we now turn our attention to an important issue and one I hope Congress will embrace in order to address energy concerns in this country.

Of course, we all know—all we have to do is to drive up to fill up our gas tank—the price of gasoline has gone through the roof. While it is true that Congress can pass laws and Congress can even repeal laws that have been passed by previous Congresses, what Congress cannot do is repeal the laws of supply and demand.

It is important as we look at this legislation before us that we look at whether this legislation is, in fact, designed to fix problems. One of the questions I suggest we need to look to is, Does this bill increase supply? In a global economy we know there is going to be more and more competition for oil and gasoline. We know we are competing, not only in the United States, but literally with China and India, each of which have 1 billion people. Their economies are growing, and the number of people driving and their economic activity is directly related to access to a reasonably priced energy supply. We need to look to see what we are doing at home to try to increase supply.

We all know we are dangerously reliant on imported oil from dangerous parts of the world or from places such as Venezuela, governed by the likes of Hugo Chavez. Current energy policy in this country does nothing but make our enemies richer. It does nothing but line the pockets of people like Hugo Chavez or somebody like President Ahmadinejad in Iran—countries pursuing weapons of mass destruction.

We have to eliminate the schizophrenia that has characterized our energy policy in the past and look at what commonsense steps Congress can take in order to improve the supply of oil and gas, preferably from our own domestic sources at home, so we are less reliant on these dangerous rulers in other parts of the world for the very lifeblood of our economy.

By any measure, the bill that is now before us is an incomplete bill. It deals nearly exclusively with the demand side of the energy equation. While it is worthwhile to aggressively pursue better efficiencies and alternative sources of energy to meet our future energy needs, the provisions in this bill fail to address much of our current energy needs. It is a matter of simple economics. This bill will do nothing to deal with our current energy needs without addressing supply.

I fear this bill will also end up being even more expensive for consumers. Both the provisions in the bill and some of the expected amendments from the majority set up unreasonable mandates for renewable and alternative energy sources, which are more expensive. I do not question our need to produce more of our energy from clean and renewable sources, but I believe the winners and losers should be determined by the market, not by the Government. Indeed, this bill determines for Americans which fuels we will use, how much, and at what time. That is the last thing we need the Federal Government to dictate—to determine which fuels we will use, how much, and at what time—when public confidence in Congress under this new majority is at a 10-year low. The last thing we need to do is say: Give us the power to determine what fuels you will use, how much, and at what time.

I do believe there is great promise in renewable energy. I am proud that my State, Texas, continues its energy leadership. As a traditional oil and gas State, it now is the largest producer of wind energy in the country—2,749 megawatts as of last year. We are also the largest producer of biodiesel, an industry that has grown rapidly in just the last few years.

It is also unwise to turn away from proven and developing technologies to meet our Nation's clean air goals. For example, nuclear energy has the lowest impact on the environment, including land, air, water, and wildlife, of any energy source because it does not emit harmful gasses. It isolates its waste from the environment and requires less area to produce the same amount of electricity as other sources.

I wouldn't necessarily hold out other countries as a model for America when it comes to their energy policies, but I must say a country such as France that generates 80 percent of its electricity by nuclear power does represent a goal that I think the United States ought to strive for, particularly when nuclear power is cheap. It is conducive of a good environment, and it requires a lot less for us to produce in terms of cost and other collateral issues. I think this is one area where we clearly ought to be encouraging greater use of nuclear power, particularly when it comes to our electricity supply.

I want to say a word about coal. Coal should also continue to play an important role in our energy future. There are clean coal technologies being developed that could enable us to continue utilizing this abundant domestic resource and—this is important—improve air quality. Coal is also expected to remain one of the lowest cost fuels available.

I do believe with Federal investment in programs such as FutureGen, which is a $1 billion investment in clean coal-burning technology, we can use this 300-year supply of coal in our country in a way that is compatible with a good environment and allows us to maintain the diversity of our energy sources which are essential to the growth of our economy, as well as our national security, from the standpoint of depending less and less on people who are trying to do us harm for the very energy we need.

It is ironic at a time that we are engaged in the global war on terror that many of the state sponsors of terrorism, many of those areas that are in unstable regions of the world, from the standpoint of the global war on terror, are the very ones being enriched by our

current energy policies, which puts a lot of our domestic resources here at home out of bounds and depends, as I say, too much on imported oil and gas.

It is important to note there are some differences between the approaches of those of us in this Chamber on how we achieve that sort of energy self-sufficiency in this country, which I believe ought to be our goal.

It is important that we, as I said a moment ago, increase supply and that we not inadvertently or otherwise create disincentives for those currently exploring and producing oil and gas. On this side of the aisle, we support increasing America's energy supplies while reducing consumption.

For example, the bill we passed in 2005, under Republican leadership, provided incentives for domestic exploration of potential new natural resource supplies and aided the production of affordable domestic energy. Now we are seeing the new majority threaten to overturn several of those successful provisions.

Then when it comes to trying to increase supply of gasoline in this country by enhancing capacity of refineries, we have seen those efforts blocked by our friends on the other side of the aisle in the last Congress. Now the majority leader will be offering a substitute amendment, we are told, based on S. 1419 to H.R. 6.

This amendment by the Democratic majority leader contains some positive provisions. But, unfortunately, it is promise that is being oversold. Very simply, the legislation produces no new energy and may actually end up raising prices, not lowering them. The Reid substitute, in my opinion, does not produce a viable energy policy for the United States.

As a matter of fact, many of the proposals we will hear from the other side of the aisle may actually increase energy prices. For example, we are likely to hear a proposal for a 15-percent renewable portfolio standard which ignores clean energy sources such as nuclear power.

This proposal would cost consumers billions of dollars because States simply would not be able to meet it. The majority leader's substitute amendment will also, it looks like, ignore the need for domestic energy supplies and ignores the problem of refining capacity, which experts say is a leading cause of high gas prices; again, simply a matter of supply and demand.

With the static supply not catching up to demand, you are going to see gas prices go up. That is what we have all experienced at the pump. This bill makes no effort to increase domestic production and reduce our reliance on foreign oil.

This bill also does not pay enough attention to clean alternatives, attempting to mandate energy production solely from renewable sources. While alternative and renewable energy has made a great start in reducing our foreign imports needed for energy, it will be decades before we can produce enough alternative fuels to replace oil and other carbon fuels.

It is important we support efforts to increase the use of renewable and alternative fuels, but we should not be sold on unrealistic proposals that will suggest that somehow, in the short term, we are going to be able to replace our dependence on oil and gas, particularly in the transportation sector, where there is not any other viable alternative. It is unrealistic to think we can address our current dependance without producing as much of America's energy as we can here at home.

Overlooking sources of new clean energy demonstrates, once again, we are not paying enough attention to our domestic energy supply. Of course, gas prices are up to record levels, particularly since the new majority took over in November.

The Reid substitute does nothing to reduce them. We have seen gasoline prices increase almost 50 percent during the last 5 months. Now, when our friends on the other side of the aisle were put in control in last November's election, the price of gasoline was about $2.20 a gallon. Today it averages $3.15 a gallon. The proposals in this bill do nothing to reduce high gasoline prices. In fact, some of the amendments I am told that our friends on the other side of the aisle are considering would actually increase energy prices for the consumers.

Neither the Federal Trade Commission nor any State agency that has explored the issue has found any evidence that there has actually been price gouging. I am told there will be proposals to prohibit price gouging, which is already illegal I might add, but by new and vague standards which are impossible for anybody to determine whether their actions are covered, unless perhaps it is too late.

This is a diversion from the real energy problems. We all oppose price gouging. I know of no one who supports price gouging. But it is important we understand we need to find new ways to increase our domestic supply and particularly our refining capacities here at home. We see nothing but roadblocks thrown up every time we introduce proposals to try to encourage expansion of refinery capacity, which is the only way we are going to make more gasoline to keep up with the demand and hopefully keep prices down.

Now we will see alternatives offered during the course of this debate that will lead to increased domestic production of oil, streamlined refinery processes, and greater investment in research and development and clean vehicles. I think this is an important debate.

But we need to be careful about what we are doing again to make sure we do not oversell and underdeliver when it comes to energy policy, because, frankly, I think when it comes to the way the Congress has approached our energy needs, it has been more than a little schizophrenic. The consequence, I think we can all see, is that gasoline prices are too high because refinery capacity is too low. We have actually increased the danger, in terms of our security, by continuing to rely too much on imported oil and gas from dangerous parts of the world, enriching our biggest enemies. At the same time, we have put out of bounds too much of our domestic reserves.

So I hope as this debate goes forward, we will have a full opportunity to debate amendments and offer constructive solutions to this problem. That is why I think our constituents sent us here. If we do that, then hopefully this poll I mentioned at the outset, reported in today's Los Angeles Times that reflects 27 percent of Americans approve of the way Congress is doing its job, hopefully those numbers will go up as we produce constructive solutions to the problems that confront the American people and we do the job we are sent here to do by our constituents.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. BENNETT. Mr. President, may I inquire how much time is available to me.

The ACTING PRESIDENT pro tempore. There is 13 minutes 40 seconds.

Mr. BENNETT. I listened with interest to the Senator from Texas. I wish to discuss basically the same thing, perhaps putting a slightly different twist on it. People look at the economics of energy and make this point. They say it costs something like a dollar a barrel to lift the oil in Saudi Arabia. That is the elevating price, a dollar, a dollar and a half, whatever. It doesn't sound like very much when oil is selling for something like $60 a barrel.

They look at the difference between the lifting cost and what we are paying, and then they look at the difference between the cost for a barrel of oil and the cost of a gallon of gasoline and they say: Somebody is making an awful lot of money here, and there has to be something wrong. There has to be someone hiding in the weeds who is profiteering off us. If we can find that ''someone'' and stop him from doing the profiteering, then everything would be fine, we would have plenty of oil, we would have lower prices at the pump, everything would be fine. There is a conspiracy going on. There is somebody somewhere who needs to be discovered, exposed, and attacked, and then everything will be fine.

Well, unfortunately, the real world does not operate like that. In the real world, there are reasons, valid reasons, for prices to be where they are and for the situation to be as it is. The fundamental fact, with respect to retail prices, that people forget, if indeed they even know, is this: The retail price is not set on the basis of what it costs to put a gallon of gas into the pump that you go to when you fill up your tank; the retail price is set by

what it would cost to replace the gallon of gas once it is gone out of the tank and into your gas tank.

That means whoever is setting the price is concerned with uncertainties that are there in the marketplace that will determine the future replacement cost. If there is a geopolitical uncertainty, Iran, Iraq, unrest in Saudi Arabia, instability in Venezuela, whatever it might be, the marketplace will say: We have to have the uncertainty return, we have to have a premium on what it would cost to protect us against the uncertainty because it may well be that supply is suddenly disrupted around the world, and if we are going to have an additional gallon of gas in that service station tank in the future, we are going to have to pay for that uncertainty there, so we will charge an uncertainty premium now.

This is the working of the marketplace. As I have said often, and expect to say again, we cannot repeal the law of supply and demand. We think we can. In Congress we keep passing laws that say we are going to set prices here and there. But whenever we try, all we do is produce one of two results. When we try to repeal the law of supply and demand, when we try to interfere with market forces, we either create a shortage or a surplus.

When we set the price artificially too high in the market, we create a surplus, as everybody wants to get in on the very good price, people want to sell for the highest price. We did that in Congress with respect to silver. We wanted to have silver mined in the United States. So the United States said: We are going to pay so much for silver. It was above the price the market would pay. We opened up silver mines, the Government ended up with a huge surplus of silver piling up in warehouses because we set the price higher than the market would put it.

When we set the price too low, as we have done with gasoline, with oil windfall profits, set the price too low, then we get a shortage; nobody wants to produce for that low price. So we can tell ourselves how wonderful we are. We can say we have the power to set prices by legislation, but if we set them in the wrong places, if we go away from where the market is, the market either gives you a surplus of things we don't need or we create a shortage.

We saw the impact of the shortage during the Carter administration. We all remember the long lines, where we were lined up to get gasoline. There was a shortage. It was artificially created. When Ronald Reagan became President, he said: No, we are going to let the market work. The shortages all went away. The lines went away. Interestingly enough, the prices actually came down in many areas of energy as the market then responded to the reality of demand.

Our problem now is we do not have sufficient supply to bring the prices down. One of the reasons, as the Senator from Texas made clear, one of the reasons is we do not have the refinery capacity we need. It is all very well and good to pump oil out of the ground, but the oil you purchase out of the ground cannot be put into your car. The oil pumped out of the ground has to be refined into gasoline. If it is not, it sits there accumulating until the refinery capacity can be brought on line.

We know that very well in Utah. We have a tremendous amount of production going on in eastern Utah now. As oil is available, it can come out of the ground. At the worldwide prices for oil now, even though it might be more expensive than $1.50, with oil selling at $60 a barrel, $70 a barrel on the international market, there is money to be made. There is oil to be produced in eastern Utah, but it is sitting there. It is not ending up in anybody's gas tank. It is not helping bring down the price at the pump. What is the matter? We don't have the refinery capacity to refine that particular kind of oil. There are refineries in Salt Lake City. They are operating at 90 percent capacity plus. They are refining oil that comes from Canada, because that particular kind of oil is easier to refine than the oil coming out of eastern Utah. If we could build a refinery in eastern Utah—and the economics are there to justify it—we could bring down the price of gasoline at the pump, because all of that oil would be turned into gasoline.

So why aren't we building new refineries? The regulations that come from the Federal Government are restricting refineries. People who own refineries are doing everything they can to expand them. The refinery capacity is up fairly dramatically, but the number of new refineries has not gone up dramatically. We are pushing to have the limit our ability to refine oil in the refineries we now have.

We are still told the real reason prices are up is because there is a conspiracy. There is price gouging going on. Last week the Washington Post commented on this issue about conspiracy and the people who are deliberately driving up the price of gasoline. If I may quote from the Washington Post editorial entitled ''Myths About That $3.18 Per Gallon'':

> Multiple investigations by the Federal Trade Commission since 2000 have come up, well, dry. Conspiracy theorists say this lack of evidence is proof that the regulators are in bed with the oil companies. But last year, California's Energy Commission undertook its own investigation of a May 2006 price increase—and found no smoking gun indicating market manipulation. Today's high prices are the result of a collision among consumers' increasing demand for gas, the shortage of oil-refining capacity and 50 states with different regulations that make it hard to trade gas across state lines.

That is the reality. It is a collision of increasing demand for gas, static oil refining capacity, and different State regulations. We should be dealing with that reality. Why aren't we? Back to the editorial:

> So why protect consumers from this vaporous phantom? Politics. More than 80 percent of Americans believe that high gas prices are the result of oil company shenanigans rather than market forces, according to the Opinion Research Corp. So passing legislation against gouging is a bit of theater that allows the political class to avoid the hard work of getting Americans to use less gas.

We engage in political theater all the time around here—that is our business—but occasionally, I would hope we would recognize reality, we would understand the price of gasoline is set by market forces that look at what it will cost to replace that gasoline.

I will make a last point. There would be more certainty about what it would cost to replace that gasoline if President Clinton had not vetoed legislation opening ANWR, making that oil available to us for our domestic supply. One of the things that was said at the time was, that is so far away in the future, that is 10 years away.

Well, it has been more than 10 years since he vetoed that bill. If he had not, we would now have the supply coming down from Alaska, saying we can mitigate the geopolitical uncertainties of oil in foreign countries by having this supply of millions of barrels available in the United States. The manufacturers of gasoline, refiners of gasoline, would say: We have a stable source of supply here within the United States. We need not charge as high an uncertainty premium as we might otherwise do.

There is no question it would have a significant impact on lowering gas prices, if only we had done it. The Congress did it. The President vetoed it. Now the leadership of Congress continues to oppose ANWR. One of the arguments is: That is more than 10 years away.

We did it more than 10 years ago. We need to do it now for the advantage of people 10 years ahead.

This is not to denigrate the good things in the Energy bill before us. This is not to say conservation is not important. This is not to say alternative sources of energy are not important. But this is to say we need to look at the whole picture and recognize we cannot conserve our way into a solution. Just because conservation is a good idea doesn't mean increasing the source of supply is a bad one.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to speak about the energy legislation that will be the topic of the Senate this week. It is critically important. I congratulate the cochairs of the Energy Committee, particularly Senators BINGAMAN and DOMENICI, for the work they have done, along with other committees, including Commerce and the Environment Committee on which I am privileged to serve.

We are dealing with a critical national crisis. In some ways, if we can adopt bipartisan, strong energy security legislation, we will have dealt with the most serious challenge facing our country. Because in dealing with our

dependence on foreign sources of oil and reducing that dependence, we can make our economy more secure, protect American consumers from the painful price spikes in the cost of gasoline and home heating oil and other fuels they have become accustomed to, and that not only drain individual budgets but hurt our national economic growth potential and reality.

Second, we will make our Nation more secure. Because no matter how strong we are militarily or even economically, if we end up depending so much on foreign sources of oil, our independence can be compromised. We cannot tolerate that.

Here is the reality. Ninety-seven percent of transportation in the United States is fueled by oil we buy from a unified global oil market. Saudi Arabia holds 20 percent of the world's oil reserves. Iran has 10 percent, led by a man who today repeatedly says to crowds in Iran, imagine a world without America; 10 percent of the world's oil reserves are in Iran. Venezuela, led by a virulently anti-American president, holds 6 percent of the world's oil reserves; Russia has 4.5 percent; Libya, 3 percent; the United States today has 1.5 percent of the world's oil reserves. We cannot leave our national and economic security dependent, therefore, on a resource that lies largely in the hands of others, including other nations that are either volatile or undemocratic or aligned against the United States.

H.R. 6, which combines the work of three or four different committees, contains many significant provisions that would reduce our Nation's oil consumption. I truly commend the heads of these committees, the chairmen and ranking members, for bringing this legislation forward. This may be the only opportunity we have in the 110th Congress, certainly the only opportunity we will have in this first year of the 110th session, to confront our energy dependence and deal with it. Therefore, it is very important that we work hard to make this bill as strong as we possibly can and, of course, as bipartisan. Our constituents, our Nation just watched the Senate unfortunately grind itself into gridlock over the comprehensive immigration bill. Let's not turn that show into a double feature with stalemate over energy security legislation as well, certainly not as prices soar and American consumers sour.

I want to speak briefly in favor of a bipartisan consensus amendment I and others will introduce as part of this debate. I am speaking on behalf of a bipartisan and geographically diverse group of Senators led by Senators BAYH, BROWNBACK, SALAZAR, COLEMAN, and many others. We will offer an amendment to replace the gasoline savings goal of H.R. 6, the underlying legislation, with title I of our so-called DRIVE Act. DRIVE, in the strange world of acronyms, stands for Dependence Reduction Through Innovation in Vehicles and Energy. This is the successor to an earlier version—which title didn't make a good acronym, but which title I loved—which was the Set America Free Act, because right now we are not free. We are dependent on others for our energy. The DRIVE Act's title I, which we will introduce as an amendment, would direct the executive branch of Government to identify within 9 months and to publish within 18 months Federal requirements that will achieve a 2.5 million barrel-per-day reduction in U.S. oil consumption by 2016, a 7 million barrel-per-day reduction by 2026, and a 10 million barrel-per-day reduction by 2031. That is about 50 percent of the per-day oil consumption of the United States today.

This amendment would also direct the Office of Management and Budget to publish an analysis identifying the oil savings projected to be achieved by each requirement to be created and demonstrating that the listed measures will, in the aggregate, achieve the overall specified oil savings.

Finally, the measure includes specific requirements for the executive branch to evaluate, review, and update the action plan so we can achieve these critical national goals.

The targets for savings in H.R. 6 are expressed in terms of American gasoline consumption. The amendment would express them in terms of what we think is a more relevant standard which is overall oil consumption, because reducing gasoline use can be achieved by increasing the use of diesel which, of course, is also made from oil. So oil consumption reduction is, in our opinion, the more appropriate goal for this law, and that is why we are going to introduce this as an amendment to H.R. 6. The gasoline savings goal in H.R. 6 amounts to about a 20-percent reduction in projected oil consumption by 2030, 23 years from now. The oil savings requirement in our amendment amounts to a 35-percent reduction in projected oil consumption in 2030. That is a significant increase in reduction and one we can achieve, if we set the goal as high as it should be, high enough to cut our dependence on foreign oil and free America from that dependence.

I believe there is broad bipartisan support in the Senate for these stronger targets. Indeed, the fuel economy and renewable fuels provisions already found elsewhere in H.R. 6 will themselves go a long way toward achieving the stronger targets. The DRIVE amendment's cosponsors believe that we need targets that will keep the pressure on the Executive branch to use the authorities Congress has provided to achieve robust oil savings.

The DRIVE Act has 26 cosponsors, including 6 Republicans. Thus, the language of our DRIVE amendment is bipartisan and consensus-based. I hope my colleagues will adopt it overwhelmingly.

I would like to explain my opposition to an amendment that I understand will be offered, an amendment that—while intricately drafted—has the sole purpose of opening the Arctic Wildlife Refuge to oil drilling.

Most of my colleagues have been through enough Senate debates over this issue to know that it is highly controversial and deeply divisive. I believe that if an Arctic drilling amendment were added to this bill, it would prevent Senate passage of otherwise bipartisan legislation that could reshape—but not despoil—our energy landscape.

I myself filibustered the last bill to which an Arctic drilling provision was attached.

Let me just repeat a fact that I stated at the beginning of my remarks: The United States holds just 1.5 percent of the world's oil reserves. Oil is a global commodity—like wheat or corn, gold or copper—that essentially has a single world benchmark price.

That means we could drain every last drop of oil from U.S. territory, despoiling our last stretches of wilderness in the process, and U.S. production still would amount to no more than a trickle in the stream of global supply.

We would do irrevocable damage to our natural heritage without having an appreciable effect on the price that Americans pay for oil, and without reducing our crippling oil addiction by one iota.

It is time we face up to the fact that we cannot drill our way out of this problem. The only effective and permanent solution to high gas prices—the only effective and permanent solution to energy dependence—is to dramatically reduce our oil consumption. H.R. 6 takes an impressive step in that direction. The DRIVE amendment would lengthen that step to a stride. But adding an Arctic drilling provision would kill the entire enterprise, leaving us in the same, unacceptable situation we find ourselves in now. So I respectfully ask that my colleagues vote ''yes'' on the DRIVE amendment, and ''no'' on any measure that would open the treasured Arctic National Wildlife Refuge to drilling.

The American people are energized on this issue. Let's not let them look to the Senate and think they have hit a dry well of gridlock.

Mr. President, I note the presence of one of my colleagues on the floor who I know wants to speak during this half hour of morning business, so I will say, very briefly, we have an opportunity to do something right for the American people, if we can work across party lines—and none of this should be partisan—to get this done.

Again I note in that regard, with some regret, some of my colleagues have indicated an intention to once again introduce an amendment that would open the Arctic Wildlife Refuge to oil and drilling. Obviously, they have a right to do so. This has been debated often in the Senate. My only word of caution is I fear such an amendment, if it is attached to this

bill, may doom the overall bill; therefore, we would all lose as a result of it.

I say to my colleagues, we have a fresh opportunity here, a kind of fresh start. This institution is in need of a bipartisan agreement that solves some real problems, such as the cost of gasoline and home heating oil and other fuels the American people are facing. So it is not just that the institution would benefit in its credibility with a bipartisan agreement on this critical issue; the country needs us to show leadership on this issue. I am confident, as we begin this debate, we can rise to the opportunity.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

SOMALIA

Mr. FEINGOLD. Mr. President, later this week, Somalia's fragile Transitional Federal Government, also known as the TFG, is expected to convene a National Reconciliation Conference originally intended to negotiate genuine power-sharing arrangements, establish a credible political process, and prevent Somalia from descending back into chaos and lawlessness.

Unfortunately, this conference has been postponed again—for the third time. Equally disappointing is the failure of the TFG to take the critical steps needed to broaden its base and ensure genuine negotiations occur when, or if, the conference actually takes place.

I have been watching Somalia closely for quite some time and I am deeply concerned that the small window of opportunity we saw earlier this year is closing quickly—if it has not already closed. To date, the power struggle between the Ethiopian-backed TFG and various clan-based and extremist militias in Mogadishu runs parallel to a brutal crackdown by Ethiopian and Somali troops that led to enormous civilian deaths and displacement. The increasing prevalence of suicide bombings and other guerilla tactics is a serious setback for Somalis, and for our own national security interests on the Horn.

The United States should be encouraging and supporting efforts to facilitate a government in Somalia that is widely perceived—internally and externally—as legitimate. Unfortunately, this effort is complicated by the Aministration's flawed and self-defeating approach to counterterrorism. By bringing long-term stability to Somalia, we can help root out global terrorists who thrive on instability and weak or failed governments. Pursuing individual terrorists is not a substitute for addressing the conditions that allow safe havens to persist.

There is no quick and easy answer to Somalia's problems. But there are a few things we can, and must, do better if Somalia is not to descend further into a bastion of instability with potentially dire consequences for our national security and that country's future. We must redouble our efforts and work with international and regional communities—and in particular with the Ethiopians—to ensure this National Reconciliation Conference not only occurs, but that it brings together a broad range of actors to create a framework for a government that is capable and committed to overcoming divisive clan dynamics, protecting human rights, and isolating and eliminating elements of extremism.

The United States has been forthcoming with financial resources for this conference, as newly appointed Special Envoy to Somalia Ambassador John Yates recently reported. Indeed, we are supplying half of the conference's budget through the United Nations Development Program. These resources are significant, and while I encourage other donors to step up to the plate before it is too late, financial assistance is not the only deficit Somalia's political project faces.

Equally worrisome is the lack of consistent messages from the international community as to what this conference is expected to achieve. I am concerned that the focus on getting the conference up and running—while critical—has nonetheless sidelined the need for it to produce the blueprint—the blueprint—for rebuilding Somalia.

Along with appointing a new diplomat and providing substantial funds, this administration, as well as the broader international community, needs to set clear expectations for the TFG to make sure recent history in that country is not repeated.

It is important to note that these are only the latest efforts to cobble together a viable political path for Somalia. Over the past decade, there have been approximately 14 other similar initiatives, all of which have failed. If the fragile political space created by the TFG closes, we are going to be stuck back at square one with the same disastrous results we have been dealing with for more than 10 years.

The upcoming reconciliation conference is only one benchmark of steps forward for the TFG. It is critical that all Somali stakeholders are included and that they own the process, that international organizations are invited to observe and offer advice, and that an outcome document laying out a roadmap for a sustained and pervasive process is produced.

Even if this public event meets all these goals—which remains far from clear—to be truly successful, it must also set the stage for what will be needed down the road, including the restoration of infrastructure and institutions required in a functioning state, the provision of services and security to citizens, and the weaving of Somalia's complex social fabric into a viable civil society.

The road to peace and security in Somalia is long and riddled with obstacles, but we must not stray from the goal. This most recent postponement illustrates the consequences of insufficient influence and inadequate policy coordination by the U.S. and the international community.

Accordingly, we must strive to produce a cohesive policy and effective action by clarifying our objectives, coordinating closely with our allies, and creating benchmarks with consequences. The United States and others—especially Ethiopia—must use whatever leverage they still possess to demand and work toward demonstrable progress towards a sustainable political solution for Somalia.

Mr. President, I certainly thank the Senator from Washington for her courtesy in letting me go first.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

ENERGY

Ms. CANTWELL. Mr. President, I come to the floor, like many of my colleagues today, to talk about the direction—I should say new direction—we need in our energy policy. I know the President of the United States is coming up to meet with my Republican colleagues for lunch today and to talk about both immigration and energy policy. I hope the President will emphasize how important it is we get an energy bill but certainly that we get an energy bill that sets a new direction in America.

Obviously, the history and strength of our Nation lies in our ability to continually invent new ways of doing things. We are great as a nation in doing that. Whether it is building the most reliable electricity grid in the world, laying down a massive Interstate System, or helping to create the Internet, our people have marched forward in new, breathtaking directions. These achievements have historically provided our Nation with immense prosperity and a quality of life we all cherish.

The problem is our basic energy and transportation system is 50 to 100 years old. Today, we are faced with two choices: whether we are going to continue to operate the energy system that is a relic of the past century or we are going to create a new roadmap for the future that will allow Americans to again be global energy leaders. It is that simple.

Some will say our energy and transportation system is working fine and we should leave it the way it is. We have a lot of special interests swirling around Washington, DC, right now hoping we do not make much progress. But I would say we do not have to look any further than the pocketbook of Americans to know we are feeling severe impacts on our economy and our environment, and that doing nothing is not an option.

We are selling out too much in saying we cannot make aggressive change. We are shelling out too much to fill up

our gas tanks, and our local communities are losing too many jobs. All the while, we sacrifice more and more what is an engine to the U.S. economy; that is, affordable energy supply.

We cannot continue to drive forward only looking in the rearview mirror and saying we are going to be dependent on foreign oil. We need to do better.

Over 100 years ago, many of our homes were lit with kerosene. If you think about the early days, we traveled not by automobile but by foot or on horseback. Then a new industrial revolution took place, and it was, as the Presiding Officer knows, driven by newly invented coal-powered steam engines. It played an incredible part in our country's history.

Then a number of scrappy entrepreneurs came along, people such as Colonel Drake in Pennsylvania, who drilled the first oil well. Americans went on to capitalize on that new fuel to power our industry and provide great mobility for our people in this Nation.

Other entrepreneurs, such as Thomas Edison and his colleagues, were working on ways to harness electricity for light, sound, telephones, and transportation.

Shortly after that, Charles Baker and his daughter switched on the first electric power generation in the Northwest—something that still provides cheap, affordable electricity to us in the Northwest.

Well, today it is time for a set of new, scrappy entrepreneurs, those who are going to lead in industry and help us get ready for a new energy infrastructure, and to take our country in a new direction. Improvements and changes are desperately needed to retain our standard of living and to make the United States an energy leader again.

Just like 100 years ago, these entrepreneurs are working today throughout our Nation. Farmers, such as those in Minnesota, are now supplementing their income from farm products by putting wind generation on their farms. A California professor is inventing new technology to enable the manufacture, in any industrial park, of new alternative fuel from simple plant material. In Spokane, WA, energy investors are focused on building a smart electricity grid that is going to allow consumers to save more.

What the Government did at the dawn of the last century was to help in the energy transformation. What we need to do today is to enable this energy transformation to take our country in a new direction. We need to embrace the new technologies that keep more energy dollars in America's pocketbook. The next chapter in American's energy story needs to be less about record oil profits and more about how we are going to help the American consumer keep energy dollars here in America and grow the American economy.

It is time Congress and the Federal Government start leading. The longer we put up with the status quo, the farther and farther behind our people and businesses are going to fall, and the more unconscionable the profits oil companies and foreign interests make, the more challenging it is for the United States environmentally, internationally, and economically. America's goal—here on the floor of the Senate, our role as a Government entity—should be to set the goals where our Nation needs to go and how our constituents will benefit.

We should not pick technology winners or losers, but we should make sure there is a level playing field so there is new investment in energy strategies. We are here to put those elements in place that will help catapult America into being an energy leader.

I know many of my colleagues have talked about energy independence. But we are talking about keeping energy dollars in America's pocketbook. I say that because so many Americans are feeling the price at the pump. Right now, they are feeling that price at the pump because America spends $291 billion per year on importing foreign oil. Over 60 percent of our total consumption is coming from foreign sources, and that is only going to increase.

The production of 36 billion gallons of biofuels by 2022 would help us reduce foreign imports by over 1 million barrels a day. That is why this underlying legislation is so important.

But what should our goal be? Our goal should be a 20-percent reduction in gasoline consumption by 2017. That is what this underlying bill gets at, and that would help consumers achieve a $2.50-per-barrel reduction in world oil prices because the United States would get into the homegrown fuel business. But we have to do more than just alternative fuel; we have to become more fuel efficient. That is why this legislation is so important, because it would actually help us save $25 billion annually to consumers from raising the fuel efficiency standard of automobiles from the current 25 miles per gallon today to 35 miles per gallon.

I know this will be one of the most contentious votes on the Senate floor: whether we have the will to raise fuel efficiency standards for our entire automobile fleet in the United States. But it is the fuel efficiency that will help deliver America that $25 billion in annual savings to consumers and help us achieve that 20 percent savings in foreign oil consumption.

We need to keep putting more energy dollars into America's pocketbook by other means of efficiencies. The efficiencies in this legislation push for standards for appliances, to help make a smart electricity grid that will help us in delivering distributed generation; that is, generation closer to home, so we are not building a new powerplant and transporting that energy supply across several States or across sections of America but, instead, getting generation built and delivered in the closest areas to the consumers. Smart electricity grids and efficient technology will help us save $12 billion in improved efficiency for the U.S. household, which will save U.S. consumers about $100.

These are important improvements. They may not sound like the sexiest parts of our energy package, but there are real dollars and real savings here for America in the long run. If we just take what California did as a State over the last several years—they, by mandating building codes and energy efficiency, reduced their energy consumption by about 20 percent and have one of the best energy efficiency systems in the Nation, and we in the Federal Government should follow.

We should follow as a Federal Government by also achieving energy efficiency for the taxpayers because the U.S. Government is our largest energy user. The fact is, we have over 500,000 buildings in the United States. Making them more energy efficient would give us a 30-percent reduction in the Federal energy use. The President should lead that charge. But we are making sure in this underlying bill that we are mandating new energy efficiency titles led by my colleagues, Senator BOXER and Senator BINGAMAN, to make sure the taxpayers will get almost $4 billion in annual savings if we achieve these Federal energy efficiencies.

Also, we must protect the consumers from price spikes. We all know that consumers have paid an increased price at the pump and that gas prices are at an alltime high related to where they were just 5 years ago. This underlying bill makes price gouging—the manipulation of energy prices—a Federal crime. To try to manipulate supply and artificially impact markets is something that should have strong criminal penalties, and that is what this underlying legislation does.

We also make sure we are making the right technology investments. I said earlier that technology could help the United States achieve greater efficiency and keep more energy dollars in America's pocketbook. We believe that over $700 billion in increased economic activity can be the result of investment in good energy technology. It could also create more than 5 million jobs here in the United States by 2025. But that means taking the investments that are given to the oil industry now, which is making record profits, and instead investing them in new energy technology that will lead to job creation and energy savings. I know that in the Finance Committee we will be discussing these ideas in the very near future, and I hope they can be implemented with the underlying bill we are going to be considering in the next 2 weeks.

But we have to keep in mind, as we look at the alternatives for creating energy, that we have to be smart about protecting our environment. We want to keep more energy dollars in the

pockets of the American consumers and American businesses, but we will not achieve that if we look for solutions that are actually going to add to our CO_2 problems in the United States.

Let's be clear: There are great technologies that will help us in reducing greenhouse emissions. There are others that will be less appealing. I know it will be hard for my colleagues in areas where technology has not yet reached this point to be a market driver. More work needs to be done. But we should not be, in looking at our incentive policies, chasing technology that will not help us achieve the leadership the United States would like to see in fuel technology.

We know that cellulosic ethanol, which is the goal of this underlying bill—and I was proud, in the 2005 act, to write the cellulosic mandate as part of the underlying legislation. Cellulosic—plant-based ethanol—plant-based ethanol from gasoline today would be a 90-percent reduction in our CO_2 footprint. We want to go in that direction as a nation, using plants to create a fuel source for America. We want to do that not only for what it achieves for us in reduction of CO_2 but because it also doesn't compete with our food source in America and drive up food prices.

Biodiesel, another great reduction in greenhouse impact at 67 percent, is an area in which we can, for our large industrial users, provide an alternative fuel to help our economy grow. Sugar-based ethanol, at 56 percent, as the country of Brazil is doing, is again a reduction in the CO_2 and an opportunity to scale a technology to help an entire nation.

We also know that for us, electricity, or plug-in hybrids, could see a 46-percent reduction.

We know we will have a very interesting debate on the Senate floor about corn-based ethanol, and we will have to be honest about where corn-based ethanol can take us in the future. It is not the alternative fuel that will help drive our economy.

We know corn-based ethanol will not be the technology that continues to have the opportunities for us that these other advanced fuels do. So we need to be smart about the investment strategy.

I need to say a little about the coal to liquid or carbon sequestration issues. That technology does not yet exist for the breakthrough we would like to see. It will actually add—add—to our CO_2 emissions if people deploy this technology today as a solution for us in trying to get off foreign oil.

So we need to be smart about our plans. We need to make sure we are keeping more energy dollars in America's pocketbook. We need to make sure we get on to this next chapter in American history and make sure we are not continuing 3 years from now to talk about record oil prices but about how American consumers are paying less at the pump, getting more alternatives, and that new jobs are created by the new direction in an energy economy we are about to see unfold.

I thank the Chair, and I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

CREATING LONG-TERM ENERGY ALTERNATIVES FOR THE NATION ACT OF 2007—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 6, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 6) to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, I ask unanimous consent to speak for a period of up to 20 minutes on the legislation and that following my remarks, Senator ALEXANDER speak for a period of up to 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I rise today to praise the progress this body is making toward reducing our dependence on foreign oil. In 5 short months, we have assembled and advanced a package of energy proposals that will strengthen the foundation of a new, clean energy economy for our Nation.

Senator BINGAMAN and Senator DOMENICI have led us to where we are today, as have the chairman and ranking member of the Finance Committee, the Environment and Public Works Committee, and the Commerce Committee. The bill before us today, H.R. 6, is a product of many minds and many good ideas.

The extraordinary progress the Senate has made in the last 5 months responds to a seismic shift in how Americans are thinking about energy and about our world. At no time in our history—at no time in our history—has energy been so clearly a matter of national security, of economic security, and of environmental security. The issue before us is fundamentally about the security of the United States of America.

Think back to 2000. At that time, it seemed that the threat of Islamic radicalism was confined to foreign soil. Few understood the urgency of combating climate change at that time. Gas prices at that time were $1.20 per gallon. That price cloaked the real costs and the real danger of our dependence and our addiction to foreign oil.

Today, this is all different, and fortunately, today, the people of America and this Senate are recognizing it is all different. In every corner of American society, the conventional wisdom about our energy policy has changed. The fact is, our dependence on foreign oil affects the lives of Americans each and every day. It touches our security, our pocketbooks, and our conscience.

Most strikingly, oil has become a major factor in global security. Our dependence—our dependence—our over-dependence makes us vulnerable and weakens our standing in the world. Since 2001, China and Russia have partnered to lock up oil in central Asia, rolling us out of that region. Venezuela has wielded its resources to buy off its neighbors and to divide our hemisphere. Iran has used its oil resources to court Russia and China, convincing them to oppose our diplomatic efforts to stop Iran from building nuclear weapons.

Countries that wish us harm know about our addiction. They know any disruption in supply sends gas prices through the roof and slows our economy. They are happy—they are happy—our enemies are happy to profit from our addiction. Oil money lines the pockets of terrorists, extremists, and unfriendly governments. It funds the Hezbollah rockets and militias in Lebanon today. It reaches bin Laden, it reaches al-Qaida, and it finances the militants in Nigeria who kidnap and terrorize westerners.

The sad truth is that today we are funding both sides of the war on terror. We spent over $100 billion last year to fight the extremists in Iraq and Afghanistan, extremists who are funded indirectly through the oil revenues we finance out of this country and around the world. This situation is absolutely crazy.

To make matters worse, our oil dependence is causing economic pain for Americans. With gasoline over $3 a gallon and holding, $50 and $80 visits to the gas stations for family members to fill their cars are straining family budgets and frustrating small business owners. Across my State, the farmers and ranchers whom I fight for every day here are budgeting for the harvest, and they are having to budget for numbers that are astronomical that they never saw before. The question they ask themselves as they go to bed every night is whether they are going to be able to make enough money to pay off their operating line at the end of the harvest season.

Americans want affordable alternatives at the filling station.

So far they have few. We must move forward in providing those alternatives.

The third reason we are on the floor today with this legislation is our bill will help jumpstart a new energy economy. That new energy economy is

based on the environmental security threats we see from global warming. Climate change now stands as one of the greatest moral challenges of our time. It is an issue we are obligated to confront.

The desperation and disaster brought by Hurricane Katrina, Hurricane Rita, and a series of prolonged droughts, floods, and fire storms over the past several years have driven climate change to the center of American consciousness. We cannot afford to leave our children a legacy of an environmental disaster. We need to begin to work on that problem now, and this legislation begins to do that with respect to carbon sequestration.

This is not the beginning of our efforts here. In 2005, this Chamber, with most of the Members who are still here today, worked in a bipartisan fashion to pass the 2005 Energy Policy Act. The bill before us today is a significant step forward toward tackling the national security, economic security, and environmental security implications of our oil addiction. The 2005 Energy Policy Act was a first step in moving us in that direction.

We approached the 2005 Energy Policy Act much as we have this proposal today. It was a work Senators DOMENICI and BINGAMAN did—Senator DOMENICI was chairman and Senator BINGAMAN as ranking member, and now their roles are reversed. They said we have an energy problem and we can craft a better energy policy, and that received nearly 80 votes in the Senate. It is that same bipartisan approach that they have taken to this legislation. Other committees also contributed to the legislation before us today and have also taken that kind of approach. That is why, at the end of the day, we will succeed in moving forward with energy legislation in the Senate.

The bill in the 109th Congress, the 2005 Energy Policy Act, was perhaps the most important energy legislation passed in 20 or 30 years in this country. During that time, I traveled to all 64 counties in Colorado and spoke to the people of my State about that bill. By and large, they appreciated the balanced approach we took to the 2005 act. The bill kick started a renewable energy economy, made big investments in technologies, took a cut at consumption with smart efficiency measures, and it made sensible additions to our domestic oil and gas supply.

There remains much to be done, and that is why we are here today. We should not forget our bipartisan work of 2 years ago, which planted the seeds for our new energy economy; and today, in the week ahead, and in the following week, we will have an opportunity to build on the success of 2 years ago.

The new energy economy is in fact taking root. I don't think you will find a better example of how quickly Americans can change their approach to energy than in my State of Colorado. We have sparked a renewable energy revolution in Colorado in just 2 years, and the benefits have already touched every corner of my State. Our farmers and ranchers are leading the charge. In Weld County, Logan County, and Yuma County, which are remote and far away from Denver, we are seeing biofuel plants spring to life, creating new markets and new opportunities for our rural communities. So the ''forgotten America,'' in fact, is having new opportunities created for them because of the fact that we are embracing the clean energy revolution. Today, we have three ethanol plants that are already in production, where there were none 2 years ago. We have several others that are under construction and are being planned.

But it is not just biofuels. In the San Luis Valley, where my family has lived, ranched, and farmed for five generations, Xcel Energy just broke ground on the largest solar plant in North America. More and more wind turbines are turning on the plains of southeastern Colorado, powering front range homes, while providing incomes for the ranchers who own the land. Indeed, the current program with respect to the construction of wind energy farms in Colorado will mean that very soon we will be producing the same amount of electricity that is produced from three coal-fired powerplants in Colorado. That is enormous progress in a very short time.

How did we spark that renewable energy revolution in Colorado? The Energy Policy Act of 2005 helped, but it is not the only force of change. The National Renewable Energy Lab in Golden is the crown jewel of our labs, and it is a hub for innovation for our clean energy future. The President of the United States has visited NREL. Many colleagues in this Chamber have visited NREL. We do all we can here to support the work that the researchers are doing there today. We have created the Colorado Renewable Energy Collaboratory, which binds the National Renewable Energy Laboratory in Golden with the Colorado School of Mines, Colorado State University, and the University of Colorado. The collaboratory is an engine for ideas, technologies, and talent, and making sure those technologies are being deployed out into the private sector.

I have held a renewable energy summit in Colorado in each of the last 2 years. We have tried to connect the business community and those people with the ideas to make sure that deployment occurs. These summits have been a huge success and were attended by the business community, environmental interests, farmers, and ranchers. This last year, we had over a thousand people who attended that summit, which was sponsored by the Governor of Colorado, Governor Ritter, as well as mayors and other leaders throughout the State.

In Colorado last year, 2007, we actually moved forward in enhancing our renewable energy standard, our renewable portfolio standard for our State. The renewable energy revolution underway in Colorado makes me all the more excited about the bill we are considering today. Its provisions are sensible and, by and large, they are bipartisan and should be noncontroversial.

The bill includes 3 key components. First, it dramatically increases production and the use of biofuels. The bill will quintuple the existing renewable fuels standard to 36 billion gallons by 2022, 21 billion of which must be advanced biofuels such as cellulosic ethanol. That is more than enough to offset imports from Saudi Arabia, Iraq, and Libya combined. I will say that again. The 21 billion gallons of advanced biofuels, combined with what we produce from corn ethanol, will get us to 36 billion gallons. That amount of production from alternative biofuels is enough to offset our imports from Saudi Arabia, Iraq, and Libya combined. I make that point to underscore the importance of the biofuels and alternative fuels title in this legislation.

Second, H.R. 6 also helps us reduce our dependence by making better use of what we have. The transportation sector accounts for a full two-thirds of our oil consumption. It offers the cheapest and best opportunities for saving fuel. The bill helps automakers retool their vehicles by providing items such as loan guarantees for hybrids and advanced diesels. The bill will also make a reasonable increase in CAFE standards. The bill increases and incentivizes the engineering capabilities of our automakers.

Finally, the bill before us also begins to address the environmental consequences of our energy policy. The debate about how to tackle the threat of global warming will have few easy answers. It will be a difficult challenge for us when we get to specifically addressing the issue of global warming later in this Congress. But one thing we can do today is to determine how we can store the carbon we are currently putting into the atmosphere. Carbon sequestration technology is neither new nor complicated. It has been around in the oil fields in America for 50 years. We need to take that technology and refine our techniques for storing it and determine where we can store the carbon that is currently being emitted from powerplants and other sources around our country. This bill will help start us in that direction.

Mr. President, how much time do I have left?

The ACTING PRESIDENT pro tempore. Six minutes.

Mr. SALAZAR. Mr. President, I want to say I am very proud of this bill. I know a lot of work has gone into this bill. It is an impressive and thoughtful next step toward reducing our dependence upon foreign oil. In the coming days, I hope we can find ways to strengthen this legislation in some specific ways.

I want to speak very briefly about four amendments that several of my

colleagues and I will be offering in the several days ahead.

The first amendment I intend to offer is the 25x'25 resolution, which establishes a national goal of producing 25 percent of America's energy from renewable sources, like solar, wind, geothermal, and biomass, by 2025. That resolution is a vision for where we want to get as Americans. It is sponsored by a great group of bipartisan Senators, including Senators GRASSLEY, HAGEL, HARKIN, LUGAR, OBAMA, and the Presiding Officer, Senator TESTER. That legislation was introduced earlier this year as S. Con. Res. 3, and it has received widespread backing. It is endorsed by 22 current and former Governors and many general assemblies from across the country. Nearly 400 organizations, from the Farm Bureau and the Union of Concerned Scientists, to John Deere, to the Natural Resources Defense Council, have embraced 25x'25 and the vision incorporated in that amendment. I hope we can include that in this legislation.

The second amendment, which I will mention briefly, incorporates provisions from S. 339, the DRIVE Act. That is legislation which Senators BAYH, LIEBERMAN, BROWNBACK, SESSIONS, and 23 other Senators have been working on for a long time. It has a robust mandatory oil savings plan. The DRIVE Act aims to increase our Nation's energy security by cutting 2.5 million barrels per day from our Nation's oil use by 2016, and 10 million barrels per day from its oil use by 2031. I am hopeful these provisions will also be added to the bill.

Third, Senator BINGAMAN and I and others will be introducing an amendment to create a national renewable energy standard. Many States, such as Colorado, already have a renewable energy standard and are reaping the benefits. I know there will be debate and discussion about how exactly we move forward with the renewable energy standard. But I believe the time has come for our Nation to adopt a renewable energy standard in the same way many States have done, including my State of Colorado.

For example, a renewable energy standard of 20 percent by 2020 will reduce emissions of carbon dioxide by an estimated 400 million tons per year. That is equal to taking 71 million cars off of America's roads, or planting 104 million acres of trees. While we look at this renewable energy standard, I know we will have a debate about whether we can improve upon what we have done here. I look forward to that debate.

Finally, the Presiding Officer, Senator TESTER, from Montana, and I will be introducing an amendment to make better use of America's vast coal resources. Coal is to the United States what oil is to Saudi Arabia. The vast resource of coal from the great States of Montana, Colorado, Wyoming, West Virginia, and throughout our country, is something we need to use. But as we use our coal resources, we need to make sure we are using them in a smart way so it doesn't damage our environment.

The amendment we will introduce will provide loan guarantees to build coal gasification facilities. We also will have standards in there with respect to life cycle greenhouse gas emissions from those facilities to make sure they are 20 percent lower than emissions from petroleum fuels. I appreciate the great work of my colleagues who have worked on that amendment.

How we improve our energy security and reduce our dependence upon foreign oil is the central national security, economic security, and environmental security challenge of the 21st century. It will determine whether we will continue to be entrenched in conflicts over resources in every corner of the world. It will determine whether we will triumph in our fight against oil-funded extremists and terrorists. It will determine whether our economic fortunes will hinge on the price of oil that OPEC sets, or whether the United States will stand proudly and independently as the world's innovator for clean energy technologies; and it will determine whether we will succeed in leaving our children and grandchildren a world wrought with environmental dangers, or whether we can correct our path in time.

I thank my colleagues for their great work on this bill, and I look forward to a productive and thoughtful debate and a successful conclusion to energy legislation in the days and 2 weeks ahead.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Colorado for his courtesy in arranging for me to speak next. The Senator from Colorado and I and the Senator from New Mexico, Mr. BINGAMAN, who is here, the chairman of the Energy Committee, Senator DOMENICI, the ranking member, and Senator LIEBERMAN, who has already spoken, were at breakfast this morning at our usual Tuesday morning bipartisan breakfast. And Senator BINGAMAN expressed the hope, as I am sure he will on the Senate floor when he speaks, that we can make the kind of progress this year that we made 2 years ago on the Energy bill. And I hope so too.

He talked about how difficult it was and how impressive it was for four committees, plus the Finance Committee, all to make a contribution and how we might be able to make progress with alternative fuels, with energy efficiency. The more we learn about energy efficiency, such as with appliances and lighting, and the more we can do in accelerating research on how to recapture carbon, the better off we will be.

Earlier this morning, Senator LIEBERMAN of Connecticut said in that spirit of bipartisanship that he hoped one amendment would not be added to this bill, and that would be an amendment calling for the drilling for oil in the Alaska wildlife area. That is a controversial piece of legislation.

I want to make a similar suggestion in the spirit of bipartisanship. I note my friend from New Mexico is on the Senate floor, and I hope the Senate would not agree to and maybe we would not even have to debate, the amendment that Senator BINGAMAN offered before in the last Congress and which he plans to offer again which would require a 15-percent so-called renewable portfolio standard in every State. I wish to spend a few minutes this morning talking about why I believe it is important that we not adopt that amendment.

I am reminded of a story about a Tennessee mountaineer who was convicted of murder, and the judge sentenced him and told him his choice was to be hanged or be shot.

The defendant thought a minute and said: May I ask a question, judge?

The judge said: Of course.

My question is, Do I have another choice?

Mr. President, we Tennesseans feel the same way about Senator BINGAMAN's proposed renewable portfolio standard which would require us to make 15 percent of our electricity from renewable fuels, mostly wind power. That would raise our taxes, it would raise our electric rates, it would run away jobs, and it would ruin our mountaintops. That is not the kind of choice we like to have.

Forcing Tennesseans to build 40-story wind turbines on our pristine mountaintops or pay billions of dollars in penalty taxes to the Federal Government amounts to a judge giving a defendant the choice of being hanged or shot.

In Tennessee, the wind simply doesn't blow enough to produce much electric power. Residential homeowners cannot afford these new taxes, industries will take their jobs to States with cheaper power, and tourists will spend their dollars where they can see the mountaintops instead of giant wind turbines.

There is, in this case, a better choice, fortunately, and that choice is for clean, reasonably priced energy in the Tennessee Valley from conservation and efficiency, from nuclear reactors—a new one of which just opened within the last few weeks in our region by TVA—and by clean coal. Because of its nuclear and hydro plants, Tennessee is already on the honor roll, ranking 16th among States in production of carbon-free electricity. But we are one of 27 States that would not meet the standards under Senator BINGAMAN's amendment, which he expects to offer during this debate.

This is real money. The Tennessee Valley Authority suggests that by the last year that this new standard is in effect, it would cost Tennesseans at least 410 million new dollars a year.

What could we do with that kind of money? If the goal were clean air, we could give away 205 million in $2 fluorescent lightbulbs per year, producing

energy savings equal to the combined output of almost two of the three units of TVA's Browns Ferry nuclear plant. In other words, the $410 million could buy enough fluorescent lightbulbs to equal two nuclear reactors. Or the $410 million would be the equivalent of 3,700 megawatt wind turbines that would span a 550-mile ridge line, more than twice the distance from Bristol in the northeast part of Tennessee to Chattanooga, which is about the only place in Tennessee that wind power could actually go, along those ridgetops. Or with $410 million, we could pay the $100 per month electric bill for Tennessee's 2.5 million residential TVA customers for 1½ months each year. Or if the goal is simply clean air, it would be better, I respectfully submit, to spend the $410 million purchasing one new scrubber each 9 months to clean emissions from TVA's coal-fired powerplants. I strongly back renewable power wherever it makes sense. In our State, I have worked hard to expand solar energy. The solar energy industry gave me an award last year for that work. I was the principal sponsor of the tax credit for homeowners to put solar panels on their homes. I have worked with the Tennessee Farm Bureau to encourage the use of biomass as a renewable energy. But this—and I will try to be a little bit more specific in the next 10 or 12 minutes—this proposal amounts to a wind portfolio standard which simply does not fit the Tennessee Valley nor, I submit, any other part of our region. It simply does not work in the Southeast.

Why is there a wind portfolio standard? There are other forms of renewable energy, of course, but they don't all fit in the definition, nor do all types of clean, carbon-free energy fit within the definition. Seventy percent of our carbon-free electricity in America comes from nuclear power. About 33 percent of TVA's power is carbon-free nuclear power. That doesn't count within the Bingaman definition. Neither does the existing 7 percent of clean, completely clean power that comes from hydro, from dams.

That makes about 40 percent of TVA's electricity carbon, sulfur, mercury, and nitrogen free, ranking it 16th among all the States in terms of producing carbon-free energy. As I said, Tennessee is on the honor roll. Yet we Tennesseans would still be subjected either to these taxes or putting these wind turbines along our scenic mountains, which I will discuss.

According to the Energy Information Agency assessment of the Bingaman proposal, 4 years ago, wind and, to a lesser extent, biomass are projected to be the most important renewable resources stimulated by the renewable portfolio standard.

There is some other evidence that biomass will be stimulated, but I think it is a fair comment to say that this is mostly a wind portfolio standard. And my argument is, that may be fine in North Dakota—which the Senator from North Dakota says is the Saudi Arabia of wind—maybe it works there, and maybe North Dakotans want to see the wind turbines there, but it doesn't work in Tennessee and in most of the Southeast because the wind simply doesn't blow enough to produce much electricity.

The National Academy of Sciences says 93 percent of potential wind energy capacity occurs west of the Mississippi River. We can see on this chart that in this white area, that is where there is the least amount of wind. There may be plenty of it somewhere else but not in Tennessee and not in the South. There is only one wind farm in this entire southeastern part of the United States. That is a TVA wind farm on Buffalo Mountain, which I will show in just a moment.

TVA had hoped that the wind on Buffalo Mountain would blow to produce electricity about 35 to 38 percent of the time. They have been disappointed that it only blows about 19 to 24 percent of the time. And in August, when we are sitting on the porches sweating, perspiring, and wanting our fans on and air-conditioning on, the winds on the only wind farm in the southeast—Buffalo Mountain—blew just 7 percent of the time. That is not an estimate. That is an actual count from TVA and the wind farm.

So the only places in the southeast region, if we can go to the next chart, that have wind resources are the ridges and the crests. Maybe unlike Iowa and North Dakota where they can have large wind farms, maybe even in Colorado they can have large wind farms, but in Tennessee, the only places that wind possibly works are on the ridges and the crests. In addition to being the places with the most wind, the ridges and the crests are also in the most visited national park in the United States, the Great Smoky Mountains National Park. Those are the highest mountains in the Eastern United States. They run up through Pennsylvania as well. They are the Great Smoky Mountains and the mountains around them. They are the reason most of us live in those areas.

It is quite a sight to see when you put wind turbines on top of those mountains. It is a sight that I would rather not see. Here is West Virginia, which is north of the southeastern part of the United States. Basically it cuts off the whole tops of those mountains. In my opinion, it makes strip mining look like a decorative art. These are 400- or 300-feet turbines. These are not your grandmother's windmills. They are white and large and have flashing red lights on top of them. You can see them for 10, 12, 14 miles away.

Then, since they are on remote ridgetops, they have to dig large power lines down through whomever's backyard to get there. It is quite a dislocation in the scenery. So one would think there would have to be a big payoff before we would take some of the most beautiful parts of the United States and basically ruin the mountaintops.

Here is what it looks like in Tennessee. You can get a little sense of how big these turbines are. In Tennessee, we like football and we can put things in perspective, sometimes putting things in football terms. Each of these wind turbines is twice as tall as the skyboxes at Neyland Stadium, which is the second largest football stadium in the United States. Penn State has one, I guess, about the same size. These rotor blades, which go round and round, stretch from the 10-yard line to the 10-yard line. I can see these turbines from the Pellissippi Parkway in Tennessee from about 14 miles away. This is at about 3,500 feet. These are some of our most beautiful vistas in Tennessee.

The problem is, even here, which ought to be a prime spot—this is the reason TVA put the turbines here—it didn't work very well. It was a disappointment. As I mentioned, in August, the wind turbines only operated 7 percent of the time. Wind tends to be strongest during the winter months and at dawn and dusk, but demand for electricity is highest during the summer and during the day. Basically, when we need the wind, it doesn't blow. And a point that many people often miss is that you can't store it. Unlike more conventional forms of power, you use it or you lose it. So it is of minimal help.

Also, it is more expensive. I have a chart showing the expense. Let's take nuclear power which produces 70 percent of the carbon-free electricity in the United States today, and wind, which is also carbon free. Actually, both are completely free of carbon, sulfur, mercury, and nitrogen, which are the problems for clean air in the Tennessee region. Let's compare a 1,000-watt nuclear plant reactor and a 1,000-megawatt capacity wind farm. The 1,000-megawatts is about the size of a new nuclear reactor. The new Browns Ferry plant in Tennessee that opened the other day is 1,280 megawatts. This column is the number of hours per year for both nuclear and wind. And this second column is the capacity factor.

In plain English, this is how much they operate. For TVA, its nuclear powerplants, which produce about one-third of our electricity and most of our carbon-free electricity, the nuclear powerplants operate 92 percent of the time. The wind turbines operate, at best, 24 percent of the time in the Southeast, in the area we know about. Remember, there is only one wind farm in the Southeast. We have it, and that is what it does.

The cost of electricity is up to twice as much for wind over nuclear. That is what people in the utility industry call the all-in cost—that is, including the cost of building the facility and the cost of operating the facility.

So the brief analysis is that wind is more expensive, on a per unit energy generated basis, and produces much less energy than nuclear power, for example. In addition to that, if we build

the wind turbines, we still have to build and operate the nuclear powerplant because, as we pointed out, the wind turbines only operate about 22 percent of the time.

My hope would be that we would not have a one-size-fits-all national mandate on States that are seeking to create clean energy. Tennessee wants to do its part. As I said, nuclear power creates 70 percent of the carbon-free energy in the United States. It produces 33 percent of the carbon-free energy in the Tennessee Valley through TVA, and TVA just opened a new reactor and they are planning more. Why would we impose on a State which is already leading the country in terms of helping to produce clean energy, carbon-free energy—why would we impose a mandate on that State that would raise its rates or impose new taxes and drive away jobs from industries that cannot afford to pay the higher rates and at the same time put on our mountain tops, from Bristol to Chattanooga, these huge wind machines that destroy the view?

We have 10 million people every year who come to Great Smoky Mountains National Park, nearly three times as many as come to Yellowstone. They come to see the mountains; they don't come to see the wind turbines. I guarantee, if we continue to provide incentives and mandates to put up these 300-, 400-, 500-foot-tall wind turbines with red flashing lights, that is all the visitors will see when they come to Tennessee. They will not be able to see anything else.

I am eager to work with Senators BINGAMAN and DOMENICI on the Energy bill. I had the pleasure, the last 4 years, of serving with them on that committee. I admire the way they work together. They made a point 2 years ago of saying that when we go too far in either direction, we will pull back a little bit so we can make sure we have a good, strong bill. I believe the bill in 2005 was underestimated. I believe the bill produced in 2005, produced by Senators DOMENICI and BINGAMAN and the Senate working with the House, literally set America on a different course in terms of producing large amounts of reliable, affordable, clean energy. It helped us do that in a way that would keep the costs of natural gas down, which was very important to us at that time and still is today.

I ask unanimous consent to have printed in the RECORD a letter from the Southeastern Association of Regulatory Utility Commissioners expressing the same views I have just expressed, that such a mandate would cause us to end up paying higher electric prices with nothing to show for it. I ask unanimous consent that it be printed in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. Finally, I would like to reiterate what we could better do with the money. I see the Senator from North Dakota here. I mentioned a little earlier that he has said North Dakota is the Saudi Arabia of wind, and I admire North Dakota for that, I admire him for his outspoken advocacy of that, and I hope all the giant wind machines go to North Dakota. That is where I would like them to be, just not in Tennessee—not just because of how they look but because in our neck of the woods they do not work. They raise our taxes, or they raise our rates, or they destroy our mountains, or they run away jobs from industries and tourists who do not want to be part of that. I would rather see us look for better ways to spend those dollars.

As I suggested earlier, we could take the same amount of money we would be taxed, if we choose not to build these, by providing 205 million $2 light bulbs, which would be the equivalent energy savings of almost 2 nuclear reactors, or it would be the equivalent of 3,700 of these wind turbines, which would run along the ridge tops from Bristo to Chattanooga, or it would pay the monthly electric bill for Tennessee's 2.5 million TVA residential customers, every Tennessee residential customer, for a month and a half, or it would put a new scrubber on TVA's coal-fired powerplants every 9 month period.

I am afraid this is an idea looking for a problem to solve. It may solve it in North Dakota, it might solve it in New Mexico and perhaps it does in Colorado, but it does not in Tennessee. It raises our taxes, raises our rates, ruins our mountains, and it sends jobs away, runs them away.

I hope, in a spirit of bipartisanship, perhaps the Senator from New Mexico, one of our most thoughtful Senators, the leader of this debate, will decide there are other things we can focus on rather than a one-size-fits-all mandate which may work in some States but does not in my State.

I yield the floor.

EXHIBIT 1

SOUTHEASTERN ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS,
Little Rock, AR, May 31, 2007.

DEAR SENATORS BINGAMAN AND DOMENICI, AND CONGRESSMEN DINGELL AND BARTON: The undersigned state utility commissioners are writing to express our concerns about the nationwide, mandatory federal renewable portfolio standard (RPS) being discussed/introduced by Senator Bingaman. As state regulators, we are responsible for ensuring that retail electricity consumers receive affordable, reliable electric service. We are concerned that a uniform, federal RPS mandate fails to recognize adequately that there are significant differences among the states in terms of available and cost-effective renewable energy resources and that having such a standard in energy legislation will ultimately increase consumers' electricity bills.

The reality is that not all states are fortunate enough to have abundant traditional renewable energy resources, such as wind, or have them located close enough to the load to render them cost-effective. This is especially true in the Southeast and large parts of the Midwest. Even in regions of the country that do have access to wind energy, there is frequently stiff local opposition to building huge wind turbines, significant costs for the additional transmission needed, and reliability concerns. As a result, some wind renewable energy projects do not get built, while others take years to build. The availability of other renewable energy resources, such as geothermal, is even more limited.

Because of the limited availability and cost-effectiveness of traditional renewable energy resources, we are deeply concerned that our utilities will be forced to buy renewable energy credits from the federal government or from renewable energy generators in other regions of the country. Correspondingly, our retail electricity consumers will end up paying higher electricity prices, with nothing to show for it.

Renewable energy resources may be able to make a significant contribution to energy production in those regions of the country that have abundant renewable resources. In fact, over 20 states and the District of Columbia have already seen fit to approve their own RPS programs based on the resources available to them. Moreover, those states have included a wider array of energy resources in their definitions of eligible renewable resources than the proposed federal RPS mandate, Some states consider power produced from municipal solid waste, small hydroelectric facilities or coal waste to be renewable energy. Other states count expenditures on demand-side management or alternative compliance payments toward meeting the state RPS requirements. None of these alternative renewable energy resources, however, would receive credit under the Senate version of a federal RPS program.

While state public service commissions and energy service providers should certainly consider available and cost-effective renewable energy resource options as they make long-term decisions for incremental energy needs, the imposition of a strict federal RPS mandate, as contrasted with a state-driven cost-effectiveness determination, will only result in higher electricity prices for our consumers. Because the availability and cost-effectiveness of traditional renewable energy resources varies so widely among states and regions, we believe that decisions regarding renewable energy portfolios should be left to the states. If, however, the Congress desires to address renewable energy objectives in the upcoming Energy Bill, we urge you to expressly allow each individual state to determine the extent to which renewable energy can be reliably and cost effectively utilized within that state.

Sincerely,

(Signed by Members of the Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee commissioners.)

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I see my colleague from North Dakota wishes to speak.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I am pleased to be here supporting a piece of legislation which I think advances this country's energy interests. I am a member of the Senate Energy Committee. I have worked with Senator BINGAMAN and Senator DOMENICI not only on the previous Energy bill in 2005 but on this Energy bill, and I think this is a good bill. We are going to improve it some on the floor of the Senate, but it came out of the Energy

Committee as a bipartisan bill and one I think will improve the energy policy in this country.

Energy is a very important policy. We don't think about it much. I know most all of us get up in the morning and we just flick a switch someplace in our house. That switch turns on lights and we turn on the television set, it turns on all the things we use all day. While we are sleeping, the air-conditioner is running. We have all these conveniences, and we do not necessarily understand that all of it comes from somewhere beyond a switch. So energy has been pretty easy for this country. Now we are running into some interesting questions and challenges. We have to develop a more thoughtful, more sensible energy policy for the long-term future.

There is an airplane which is now parked in a museum. I believe it was tail No. 27,000, an old 707 that used to be Air Force One. It was the Air Force One that flew President Reagan around, and others. It was the Air Force One that was in Dallas, TX, in fact, the day John F. Kennedy was assassinated. One of its last trips before it was retired to a museum was a trip to Asia. I was a member of that delegation, going to meet with the President of China and others.

In a cabin on that little old airplane flying over the Pacific one night, about 10 or 11 o'clock at night, one of our Senate colleagues, John Glenn, was sitting there with us. I was peppering John Glenn with questions about his circling the Earth as an astronaut back 40 years prior to that time. I was a young kid and I had been listening to the radio that day, and I listened to this account of this astronaut circling the Earth. The whole world was focused on what this astronaut, up alone in *Friendship 7*, a tiny little capsule, was doing.

I asked him a lot of questions about it that evening. I had the opportunity as a new Member of the Senate with my colleague John Glenn to pepper him with a lot of questions. One of my questions was this. I said: My understanding back then was that the city of Perth, Australia, when you were orbiting the Earth that night, turned on every light in the city as a signal to the astronaut flying alone orbiting the Earth. Do you remember the ability to look down and see the lights from Perth, Australia?

He said: I do, I do. I remember this brilliant light coming up from Perth, Australia, where all the citizens decided to shine up a light to this astronaut flying alone on *Friendship 7*.

The only evidence of life on Earth as he orbited the dark side of the Earth was energy, light—human beings turning on a light switch and lighting a city to light the way for an astronaut orbiting the Earth.

Energy is a significant part of our lives every single day and virtually in every way. As I said, we take it pretty much for granted.

Let me talk about the challenges, if I might. One of the significant challenges is oil. We have this big old planet of ours. We have roughly 6.5 billion neighbors on this planet. We circle the Sun. We have this prodigious need for oil, so we stick straws in the earth, called drilling rigs, and suck oil out of the earth. We suck about 84 million barrels of oil a day out of this planet of ours—84 million barrels a day we suck out of this earth.

We use 21 million barrels in this country alone. In this little patch of ground called the United States of America, we have built an unbelievable economy, dramatically improved the standard of living over a long period of time, and we have an unending thirst for oil. So one-fourth of all of the oil used on this planet is used in this country, this place on the globe.

Unfortunately, a substantial amount of the oil is under the sands of the Middle East and in unstable parts of the world. Here is what happens. When we import oil, here is what we use the oil for: 67 percent is used for transportation. So nearly 70 percent of the oil we use in this country is used in the vehicle fleet or for transportation. One of the things we are discussing here in the Energy bill is this issue of trying to make these vehicles more efficient. If we use 70 percent of the oil in this country for transportation and we have had very little change in efficiency of vehicles, then the question should be and is, Should not we make vehicles more efficient?

Here is an example. This is a chart you can't see particularly well: Auto Fuel Efficiency Versus Performance. Do you see what has happened on the blue line, performance—zero to 60 in a nanosecond? Increased performance, more power, more speed. What has happened with respect to miles per gallon? Just like that, right flat across.

Part of that is the consumer. The consumer wants to buy big, heavy cars, fast cars. I understand that. In fact, here is a survey. I was very surprised. CNW Research pointed out that overall fuel economy—this is a couple of years ago—is No. 12 in concern by consumers. I am sure it has changed now. But cupholders and sound systems ranked above the issue of overall fuel economy. I expect that is not the case now when you are driving up to the gas pump and in some vehicles putting in $40, $50, $60 or $70 worth of gasoline into that vehicle. So perhaps that has changed.

But this legislation does a lot of things with respect to energy. It requires an improvement in the efficiency of vehicles. I know automobile companies came here last week. I had a chance to talk to the CEOs of the three big U.S. auto companies. I know they are taking the same position they have always taken—not now, not us, not today.

The fact is, we must, it seems to me, insist that our vehicle fleet be more efficient. Because nearly 70 percent of the oil we use in this country is being used in our vehicles, the only way we are going to try to extract ourselves from being addicted to foreign oil is to begin to make changes in a range of areas, and that includes making cars more efficient. That means a higher mileage per gallon standard.

We have a circumstance, as I indicated, where a substantial part of the oil is put in one place on this planet and the dramatic need for oil is in another place. Much of where we get our oil is in very troubled parts of the world. We could, one day, wake up with terrorists attacking a refinery somewhere and a shutoff of the oil to this country from foreign sources, and this country would be flat on its back. This country would have its economy in tatters. That is why we need to be much less dependent, we need to find a way to be independent of the need for oil from Saudi Arabia and Kuwait, Iran, Iraq, Venezuela—all the places in the world that are unstable, where we have a great reliance on oil. That is at least part of what this bill is about.

I am going to talk about several other things as well, but I, along with my colleague, Senator LARRY CRAIG, a Republican—I am a Democrat—we joined in introducing something called the SAFE Energy Act, Securing America's Future Energy. The Energy Security Leadership Council is a group of really interesting people including some CEOs of major corporations and flag officers in the U.S. military. They studied these issues for several years and put together a plan.

That plan is recommendations to the Nation on Reducing Oil Dependence; trying to make this economy of ours less oil intensive.

I introduced a piece of legislation with Senator CRAIG that implements most all of these recommendations. I would commend it to my colleagues because I think it makes a lot of sense. It talks about expanding the supply of energy, especially renewable energy; also talks about finding additional supplies. We believe we ought to be able to explore and drill more in expanded areas, particularly in the Gulf of Mexico, because there are substantial reserves of oil and gas in the Gulf of Mexico that are attainable without ruining anybody's view or creating other problems.

We believe that in addition to renewable energy and the production of renewable energy, all of the biofuels are necessary. We believe that CAFE standards, or at least automobile efficiency standards, are necessary as well. This piece of legislation brought to the floor of the Senate includes all of them.

Let me continue to talk about oil for a moment and say that when I was a little boy, I remember they drilled one oil well near my hometown in southwestern North Dakota. I lived in a town of 300 people. There wasn't a lot to do, obviously, in a town of 300 people.

So when they brought in a drilling rig and constructed a drilling rig and

started to drill for oil about 3 miles from town, I will never forget as a little boy going out there in the evenings in my parent's car. We saw all these lights on the oil rig at night. We sat there and looked at it. That was entertainment.

We did that night after night. We figured at some point they were going to strike oil. We didn't want to be too close to the rig, because the movies showed that when you strike oil, you get a gusher.

But we watched. We would drive out there and park, the whole town would go out there and park. We would watch that oil well. Nothing was happening, of course, nothing you could see. We saw the lights. That was a whole lot more than was going on in town.

Well, it turns out it was a dry well; never drilled another one. But that was my experience. As a young boy, my father also managed a gasoline station. So I pumped a lot of gas as a young boy. Some say that my occupation hasn't changed so much being in the Senate, but I contest that, of course.

My point is this: Oil is central to our lives and will remain central to our lives, but we need to find a way to reduce our dependence on the sources of oil that come from very troubled parts of the world.

In North Dakota, for example, in western North Dakota, we now have what is called the Bakken Shale, which could, we hope—the U.S. Geological Survey will determine this—but it could contain dramatic amounts of recoverable oil.

Incidentally, I was in western North Dakota visiting with Marathon Oil that is now drilling. It is unbelievable what they are doing. They drill 2 miles down—2 miles down—then take a giant bend and drill 2 miles out. One drilling rig. They go down 2 miles and then bend it and then drill 2 miles out. It is unbelievable technology.

We hope there is additional production here in this country. That is one way to be less dependent on foreign sources of oil. We can take a look at where you can get additional oil. I mentioned the Gulf of Mexico is a substantial opportunity for us as well. But there are a lot of things for us to do and do well, if we are going to be less dependent on foreign sources of oil, also, if we are going to have an energy policy that has much more credibility than our current policy.

Now, the Congress passed what was called the Energy Policy Act of 2005. We did a number of things there. I was one of the Members of the Congress who, at that time and since that time, one of I guess four or five of us in the Senate who tried to open up what is called Lease 181 in the Gulf of Mexico. We succeeded in doing that. It is a smaller tract than we had hoped, but that also will contribute to the production of additional energy here at home.

Some say our energy strategy for the future must be ''digging and drilling.'' I call that yesterday forever, digging and drilling. Yes, we are going to dig and, yes, we are going to drill. But if that is all we do, we lose. Everything we use in this country every day needs to be more efficient. Our refrigerators, our air conditioners, our vacuums, everything needs to be more efficient. That is No. 1.

We have had very big debates on strange-named things such as SEER standards. I mean how many people have heard of SEER 13 standards for air conditioners. But it makes a big difference in the number of powerplants you have to build in this country based on the standards for efficiency for all the things we use with respect to appliances.

In addition to all that, we at the same time have to rely on other sources and other types of energy; wind energy as an example. Well, my colleague from Tennessee apparently does not like wind energy. God bless him. He has a right not to like wind energy.

It seems to me it makes a lot of sense with a turbine, the much more improved turbines and technologically capable turbines, to extract the energy from the wind and turn it into electricity. Yes, it is an intermittent source of electricity because you do not produce it when the wind is not blowing. But in some States, my State in particular, which is ranked by the Department of Energy as having the largest wind energy potential, taking energy from the wind and producing electricity with that energy makes a lot of sense.

We have an exciting experiment going on in North Dakota that I have been involved in: taking energy from the wind through a wind turbine, turning that energy through a turbine into electricity, using electricity through the process of electrolysis to separate hydrogen from water. You use an intermittent energy source to produce hydrogen and store the hydrogen. That is pretty unbelievable. Yet we can do that. We can do that, and it is going make us less dependent on foreign sources of energy.

Now one of the proposals that will be offered by my colleague, Senator BINGAMAN, which I intend to be here and support, and I believe several have spoken in opposition to it, is what is called a renewable portfolio standard. Not a very sexy name, in fact we should rename it, renewable energy standard of some type.

But it is simply this: With respect to electricity that we are creating in this country, 15 percent of that electricity should come from renewable sources. Establishing a national standard, a goal, what is it we want to meet? Where do we want to go? An old saying: If you don't care where you are, you will never be lost.

Well, I mean, if we do not care where we are, we will never have a standard that we will miss. But how about ascribing a standard for this country that forces us to reach a little bit and says that, for every kilowatt hour of electricity we are going to use, 15 percent of what we produce is going to come from renewable sources of energy.

Once again, it relieves and begins to withdraw our heavy dependence on foreign sources of oil because a substantial amount of our electricity now comes from fossil fuels, from natural gas and coal and so on.

Now, the issue of the renewable portfolio standard, I understand, is going to be controversial because some do not want the Federal Government to be involved in requiring something such as this. But, frankly, I don't think we have much choice. The other issue that will be involved in with this bill, which I support, is a renewable fuels standard. That renewable fuels standard is one that calls for 36 billion gallons of renewable fuels by 2022. Now, I helped write the last renewable fuel standard. It was the first one we ever established. It was 7½ billion gallons by 2012.

We are going to be at 10 billion gallons, exceeding that standard in a year or two. We believe we should aspire to achieve much more; a renewable fuels standard, using the biofuels; yes, the production of ethanol; growing energy in our farm fields on a renewable basis, you can do that year after year; the ethanol that can come from cellulose that I believe has great capability in our future. All of that is good for this country.

It is good for our farmers, good for our consumers, it is good for beginning to reduce our dependence on foreign sources of oil. Now, we have a lot of issues we are going to be discussing, some controversial, some perhaps not, but my hope is that in the coming week and a half or so we can finish this Energy bill.

I wish to show a couple of charts again. First of all, the amount of oil we use in this country. Those are million barrels per day. I mentioned we suck 84 million barrels of oil out of this little planet of ours. Look at what we use in the United States. Our population uses one-fourth of all the oil that is taken out of this planet every single day.

I mean, that is an oil intensity for our economy that, in my judgment, needs to be changed. Then, finally, let me say again, if 70 percent of that oil, nearly 70 percent is used in that vehicle fleet. If in that vehicle fleet we have seen all those improvements in acceleration, for example, and no improvement with respect to miles per gallon, then we better figure out how we address this in a different way.

One other item I am going to talk about for a moment is something called SPR. One of the problems with this life is there are so many acronyms and so many shorthand names for things, the Strategic Petroleum Reserve. We are doing something that makes a lot of sense to me. We are taking oil and sticking it underground and saving it for a time when we might need it, a security reserve of oil. The Strategic Petroleum Reserves makes sense to me. In fact, we increased the

amount of that SPR authorization in the 2005 Energy Policy Act. But with respect to our original goal, we are 97 percent there—97 percent. I do not think it makes any sense at this point to increase it, despite the authorization, I do not think it makes any sense, when the price of oil is where it is, very high—the price of gasoline is extraordinary—I do not think it makes sense to be taking any oil out of the supply chain and sticking it underground.

Yet our Government continues to do that. I know we have not been purchasing oil at this point. They suspended that through the summer driving season. But we are still taking about 8 or 9 million barrels of oil and putting it in SPR as part of the payment for royalties in kind. I do not support that either.

The President is asking for a near doubling of SPR in the next appropriations cycle. I am not going to support that. I am going to write the bill. I will be writing the bill as chairman of the appropriations subcommittee that funds that. I am not going to increase that because I think at a time when gas prices are going through the roof, the last thing we ought to do is take oil out of the supply, because all that does is put upward pressure on gas prices. So I believe that is another thing we might wish to consider in this discussion.

Finally, the issue of energy is one that I know consumes perhaps less attention from time to time than others, because we take it for granted. We turn the light switch on, we get in our car, we do all these things, all of it powered as a part of our energy need, and we do not think much about it. But if, God forbid, somehow all of it were turned off, and we had an example a few years ago, I think we were out of energy in the capital region for 5 or 6 days, then all of a sudden we understood what energy means to our daily lives.

If ever we would see gas lines around the block again, we would understand what this addiction to oil means for our daily lives. Now, I said earlier that if our entire approach with respect to energy is digging and drilling, that is yesterday forever. I do not mean we will not continue to use fossil fuels, I believe we will. Fossil fuels will be a significant part of our future.

That means oil, coal, and natural gas. I am going to spend a lot of time and money as chairman of the appropriations subcommittee dealing with this issue of clean power and clean coal technology because we have to be able to continue to use that resource. But it is also the case that we have so much more to do. Because for decades we have been told that you cannot do renewables, renewables are a pat-on-the-head sort of thing. If you are talking about renewables, good for you, God bless you, but you ought to go to a library someplace and visit with your two or three friends about these things; it does not matter to America's future. That is total nonsense.

Renewable energy is very important for this country. It is long past the time that we get about the business of dealing with it. Yes, it is hydrogen and fuel cells, which I feel very strongly about. It is wind and solar. It is geothermal. It is a wide range of issues dealing with renewable energy that I believe will contribute to this country's energy security. I believe it will give us a much better and a much stronger energy policy.

I see my colleague from Idaho is here. As I indicated earlier, he and I have introduced a piece of legislation that a fair part is included in the bill that was reported out of the Energy Committee. I am also on the Commerce Committee, which has reported a portion of this bill as well.

I believe we need do a lot of things well in order to make this country less dangerously dependent, as we now are, on foreign sources of energy. That is our goal.

I believe our plan does that. I believe the bill that is brought to us from the Energy, Commerce, EPW, and Foreign Relations Committees advances this country's interest.

My hope is, in the coming week or two, perhaps a week and a half, as this is being considered, we can improve the bill even more.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, the Senator from North Dakota and I over the years have coalesced around a variety of issues we have been successful on on some occasions in causing to become public policy. Earlier this year—and Senator DORGAN has already mentioned it—we coalesced around three concepts we thought were critically necessary in a current and future energy portfolio and, therefore, the public policy that drives it. We recognized that efficiency would be and must be a part of the equation, that clean energy, the biofuels, must be a part of the equation for the future to make us less dependent. But also something that must be a part of the equation is production of current known and future sources of hydrocarbons. In other words—I will quote the Senator from North Dakota—you can't conserve or drill your way out of the current $3-plus gas we have and the greater dependency we have on foreign nations to supply us, but a combination of both into the future brings us to where this great country ought to be from the standpoint of a national energy policy.

The Reid bill, the Bingaman bill that has been introduced on the floor, S. 1419, is about the future. You can stand on a hilltop and see it out there 25 or 30 years into the future. But the man or woman of the American economy today who is at the gas pump and filling his or her car or truck wants to know about tomorrow and next week and next year. Are gas prices going to continue to go up? What is the problem here? Why isn't this great Nation more self-sufficient? And for those who study energy a good deal and see a 60-percent reliance on foreign production, shouldn't we be worried about national security? Shouldn't we be worried about the emergence of petronationalism, about a little dictator down in Venezuela jerking the tail of a great country because he supplies 17 percent of our total foreign imports? Yes, we ought to be concerned about that. We ought to be angry about it.

The reason we grew complacent, the light switch would always produce a light or the gas pump would always produce inexpensive fuel, is because it has always been there. What a large part of Americans didn't know is that politically and in a public policy way we began to set in place a series of things over the last 20 years that flattened production, made it less profitable, created self-reliance, and didn't compete and keep up with the amount of consumed energy we were requiring of a growth economy. As a result, we hit the wall. The wall is $3-plus gas. All power bills are going up. Energy is a part of America's disposable income and is becoming an increasingly bigger part. Americans are sitting now scratching their heads and saying: Are we going to have to change our lifestyles because energy is going to cost a lot more?

My wife and I and a group of Senators, the week before last, traveled in Europe. As we landed at Andrews Air Force Base, got in our cars and headed home, I turned to my wife and said: I see we are back in the land of the big cars.

That is part of our addiction. We love our big cars. We had been traveling in Luxembourg, France, and Italy, and by definition, it is the land of the little car. Why? Because gas over there from a gallonage point of view is about $7.50 a gallon. It is at least double plus a little more of what we are currently paying today. As a result, Europeans significantly over the last 20 years have changed their lifestyles because they couldn't afford the energy. I am not going to apologize because America consumes a lot of energy. We are nearly 26 percent of the world economy. We consume 26 percent of the energy base. Why? Because we are 26 percent of the world economy. It takes energy to produce jobs, to produce products, to create an economy. We are driven by energy. It is going to cost more to stay at 26 percent if we don't develop good public policy that gets us through tomorrow and takes us into the future in a way that the consumer can understand and appreciate.

Consumers are angry today, and they have a right to be. They look at very large profits on the part of the oil companies and say: Look, it is their fault. Those profits are driven by demand and the ability to supply. There are no gas lines today because there is energy at the pump, but we are paying more for it. The Senator from North Dakota is

right, the politics of this issue would change again if there were long gas lines at the pump and they were paying $3-plus a gallon. So the supply is there in the current form, but 60 percent of it comes from a foreign nation somewhere in the world. Most of those supplies and those foreign nations are in very precarious political situations. It is a very unstable world out there from whence these supplies come. As a result, the futures market anticipates that and builds a margin in to offset the risk to deal with the demand.

What am I saying here? I am saying to the Senate today that S. 1419 is a piece of the total, but it isn't where we ought to be tomorrow. Tomorrow ought to be about energy security and energy production. You don't talk green, although you have to talk green and should talk green. You don't talk cellulosic ethanol being in production in 10 years at a rate of 15 billion gallons a year because it won't be, because the technology isn't there, although we are driving there. Energy efficiency, a CAFE standard, is a place we ought to go. I for the first time join with the Senator from North Dakota in a 4-percent mandatory efficiency. That takes us down the road. But that is out in the future. What about tomorrow? What about knowing where our current oil reserves are, the 15 or 20 billion barrels or more of oil that is in the Outer Continental Shelf that may be very accessible in a clean and environmentally sound way? What about expanding our refinery capacity? Because in this transitional period of the next two-and-a-half to three decades, where more cars will be electric, more cars will be hybrid, we will be producing 20 percent of our liquid transportation fuels from corn-based ethanol, cellulosic-based ethanol, to get to the 30 to 32 billion gallons a year. What about all of that? That is our future.

My consumers in Idaho want to know about tomorrow. The Reid-Bingaman bill has nothing to do with tomorrow. We simply cannot ignore the next 10 or 15 years and jump into the future. We have to continue to produce and we need to produce. We have to continue to refine the hydrocarbons to supply the gas, and we need to expand that capability. It better be on shore. It better not be in Venezuela or in Kuwait or Saudi Arabia or someplace else that is at this moment, at best, politically unstable, let alone Iran and Iraq. That is where our dependence lies today. To fail to address that in the Senate is to fail to address the No. 1 question of a great nation: How do we stay great? How do we stay at 26 percent of the world GDP? How do we stay generous to the rest of the world? We produce and push a lot of new technology, and that is in part what the Reid bill is about. That is all going to be transparent and giveable to the rest of the world. When we lead on energy in all aspects, the rest of the world benefits because we share it.

Therefore, as this bill comes to the floor, there is a great deal that has to be done. We need a new RPS, renewable portfolio standard, wind, solar—a great idea, an old concept. Today's energy world is about cleanliness. Why not a new standard? Why not a clean portfolio standard instead of a renewable portfolio standard? Include wind, include solar, include sequestration of carbon, include efficiencies, include nuclear, include hydro. Let's get on with the business of being clean. If Senator REID wants to come to the floor and talk about climate change, then he ought to be talking about all of those other things that drive the economy toward a cleaner energy future, not command and control but incentives, creativity, bringing off the laboratory shelf and into production the kind of things we know are already out there.

Coal to liquids, what is wrong with that? Some environmental groups are wringing their hands and saying: There might be a problem there. We know it will burn 90 percent cleaner. That is not a problem. It is only in the mind of some idealist that it isn't perfect. How do you get to perfection? You start by adjusting and changing and improving. Today we are tremendously proud of our ethanol production in corn. But it has been 20 years in refinement and development to the distillery that is set up tomorrow somewhere in the Midwest. It is going to be so much better than the distillery that went into production a decade and a half ago. That is what this bill ought to be about, and it isn't there today.

What about the tax incentives, and what is the Finance Committee going to do? None of that is there.

This chart illustrates the problem. Here is the line for demand; here is supply. This is the hydrocarbons. That is pretty simple. Where does this margin come from? Offshore, foreign countries. High risk, less national security. Why do a lot of military leaders and those who look in broader terms support what BYRON DORGAN and LARRY CRAIG did today in the SAFE bill and those three factors about production, efficiency, and biofuels? They support it because of national security, taking this out of the equation, getting us back into production.

You have heard me talk a lot over the past about the Outer Continental Shelf and the billions and billions of gallons of oil that is out there. We have allowed States to say no even though it is a national, Federal resource. Last year we picked up a little bit right here in lease sale 181, but here in the eastern gulf are phenomenal resources, billions and billions of barrels of oil that are very accessible, achievable in a sound environmental way, and we are still saying no. We are still saying, let a tinhorn dictator in Venezuela jerk us around.

Here is another problem. The Cubans have said: Come drill us. The world is coming. The world is drilling in Cuba today. Vietnam came in last week. Spain, Norway, Malaysia, and Canada are 45 miles off our shore drilling for oil, but we can't drill. It is the ultimate ''no'' zone of politics. The ''no'' zone went up decades ago when the technology wasn't there to achieve the environmental standards upon which we demand and insist. The technology is here today. But the politics of Florida won't allow us to touch this. So the American consumer simply says: OK. I am going to pay more. I am going to pay another 50 cents a gallon so Florida can have its political way or anywhere else, for that matter, along the eastern seaboard or as it relates to this equation over here, the western coast, Alaska. Or have we come to a turn in the road where technology allows us to go there in a clean way and bring down that dependency, allows us to thumb our nose, if you will, at the foreign sources?

Here is the other side of the equation. Nearly $300 billion a year leaves our shore to go to another country to buy their oil, and some of those countries are buying guns and shooting at us. How smart we aren't to allow that policy to continue to prevail.

That is part of the debate in the coming weeks as it relates to 1419. It is not a complete package. It is way out into the future. It is not about tomorrow. It is not about national security. It is not about production. If we don't have those factors in a bill, this Senate will not serve its public and the American consumer in a responsible way in sustaining and building a great nation.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, at 12:30 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. The majority leader is recognized.

MOMENT OF SILENCE TO HONOR AIRMEN, SOLDIERS, SAILORS, AND MARINES LOST IN IRAQ AND AFGHANISTAN

Mr. REID. Mr. President, we have reached another tragic milestone in the Iraq war: 3,500 American troops have now been lost. Every one of those 3,500 is a hero. But every brave man and woman who continues to serve and protect us is a hero as well.

This is a somber time. At a somber time such as this, words betray our grief and our gratitude. So I ask my colleagues to join me in a moment of silence to honor the memory and sacrifice of every airman, soldier, sailor, and marine we have lost in Iraq and Afghanistan.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will observe a moment of silence.

(Moment of silence.)

Mr. REID. Thank you very much, Mr. President.

Mr. President, would the clerk report what is now before the Senate or what should be before the Senate.

CREATING LONG-TERM ENERGY ALTERNATIVES FOR THE NATION ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 having arrived, the motion to proceed to the consideration of H.R. 6 is agreed to and the motion to reconsider is considered as having been made and laid on the table.

Under the previous order, the Senate will proceed to the consideration of H.R. 6, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 6) to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 1502

(Purpose: In the nature of a substitute.)

Mr. REID. Mr. President, I have amendment No. 1502 at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1502.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Monday, June 11, 2007, under ''Text of Amendments.'')

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I have come to the floor to discuss one of the provisions of this Energy bill that is now before the Senate. This is the provision that would increase the fuel efficiency of our Nation's fleet of vehicles. These provisions were approved by the Commerce Committee with substantial bipartisan support. They are known as the Ten-in-Ten Fuel Economy Act.

I come to the floor in place of Chairman INOUYE, who is ill today and has asked me if I would mind describing the provisions of this legislation, and, of course, I am delighted to do that. The legislation is supported by a bipartisan group of Senators, including Senators STEVENS, SNOWE, DORGAN, COLLINS, DURBIN, BOXER, CANTWELL, CARPER, KLOBUCHAR, and KERRY.

The basic premise of the legislation is to increase the fuel economy of cars, SUVs, and light trucks by 10 miles per gallon over 10 years—that is the ''10 over 10''—and to do this by 2020. But the bill does do more than that. It continues beyond 2020 and increases fuel efficiency by 4 percent a year through 2030. This is with the addition of the Dorgan legislation which the Commerce Committee added to Senator SNOWE's, Senator INOUYE's and my 10-over-10 bill in the Commerce Committee.

Some would have liked this legislation to go further, perhaps to 40 miles per gallon or more. Others do not want any significant increases. But I think this legislation strikes the right balance, and it sets forward a significant, achievable standard for the future.

It would be the first major fuel efficiency increase in the past 25 years. Can you believe it? With all the talk and all the discussion in the past 25 years, nothing has been done to increase fuel efficiency. I have been working on this legislation in one form or another—first, it was with Senator SNOWE as an SUV loophole closer. We have been doing this for more than a decade now.

But the simple truth is that today the technology exists to accomplish the goals of this legislation. It can be done without reducing safety and with significant benefit to our economy and our environment. It does so in a way that gives auto manufacturers the flexibility and the time they need. I hope they listen to this because I think they have a misimpression of the bill. This is not according to just us, but it is according to the experts—the National Academy of Sciences, the International Council on Clean Transportation, and experts at Lawrence Berkeley National Laboratory. So it is time to break the logjam.

We all know our Nation faces stark energy challenges. Gas prices have risen to above $3 a gallon—more than doubling in the past 5 years. Global warming is real, it is happening, and it is having an impact on the world around us. The United States needs to address the transportation sector's emissions of carbon dioxide. Transportation, in 2004, accounted for 28 percent of U.S. greenhouse gas emissions. With a war in Iraq and tense relations with Iran, we need to move away from our dependence on foreign oil. Through this legislation, we believe we can have a significant impact in each of those areas.

By 2025, increases for cars and light-duty trucks would save 2.1 million barrels of oil per day. That is nearly the amount of oil imported daily from the Persian Gulf, so it would be a savings, by 2025, of about what we import each day now. That is consequential. It would reduce carbon dioxide emissions—which is the primary global warming gas—18 percent from anticipated levels in 2025. That is the equivalent of taking 60 million cars off the road in a year. And—and this is a big ''and''—it would save the consumer, the driver, the family, a net $69 billion at the gas pump. That is based on a $3.08 a gallon gas price. That is the recent average price nationwide. So with gas costing $3.08 a gallon, the net consumer savings—if this bill were in place—would be $69 billion. This would mean, if you go to the individual or the individual family, it is a savings of $700 to $1,000 a year for families with children, depending on the price of gas. So the time has come to act.

Now, here is what the measure would do. I hope people will listen. It would set achievable fuel economy standards for all vehicles, increasing fleetwide average fuel economy for all cars, SUVs, and trucks by 10 miles per gallon over 10 years—or from 25 to 35 miles per gallon by model year 2020. So 25 to 35 miles per gallon by 2020, and it is 2007 today. It would provide for an additional 4-percent annual increase after that until 2030. It would require the Department of Transportation to improve the fuel economy of medium and heavy-duty trucks over a 20-year period—not tomorrow, not today but over a 20-year period—for the first time in history addressing this particular area of concern.

America, do something about your heavy trucks, and over the next 20 years try to see if you can't make them more fuel efficient.

The key to this bill is it changes the way automakers are allowed to meet these standards in fairly substantial ways. I wish to describe them.

The provision provides the time and the flexibility needed for automakers, we believe, to meet these standards. This is where Detroit does not listen. We believe—we sincerely believe—it creates a level playing field for all automakers. Let me describe how.

Under the existing CAFE system, each automaker must meet a 27.5 miles-per-gallon standard for their particular fleet of cars. This current system disadvantages American companies that build larger cars with lower gas mileage. So we admit the present system disadvantages American automobile makers.

But under the newly proposed system contained in this bill, the National Highway Transportation Safety Administration would have broad discretion to divide vehicles into classes based on their attributes, such as size. So a small car in a small-car class is evaluated against other small cars—not a small car evaluated against a Navigator or a Cadillac but class-by-class evaluations. This requirement would no longer apply to each automaker. This is additional flexibility. Different automakers will meet different standards, depending upon the mix of cars they choose to make.

From 2011 to 2019, the National Highway Transportation Safety Administration must set fuel economy standards that are the maximum feasible

and ratchet these standards up at a reasonable rate.

By 2020, the total average must meet the 35 miles per gallon—the total average. Some cars will be below it, and some will be above it—as long as the total average meets the standard. This gives Detroit the flexibility they say they need. I do not know why they will not understand it.

This effectively gives the automakers 13 years to get the job done, and it means fuel economy will increase across all classes—from the smallest sedans to the largest SUVs. It may be different by the class, but, nonetheless, it would increase, so that the average fuel economy would be 35 miles per gallon. At the same time, the measure establishes a credit trading program under the direction of the National Highway Transportation Safety Administration, known as NHTSA. NHTSA would design, run, and operate this credit trading program.

The provision was strongly recommended by the National Academy of Sciences in 2002. It would give an automaker a financial incentive to exceed the standards. If it does, it could sell credits to another automaker and profit from having a more fuel-efficient fleet. So that an automaker that makes a car that attains 37 miles a gallon can sell that differential to someone who cannot quite make it.

It would also allow the banking of these credits for up to 5 years—insurance if a company falls below the standard in a later year. If an automaker cannot meet the standards in a given year, they can purchase these credits, use bank credits, or borrow from projected surpluses from future years. So the bottom line is this is a practical, workable system which ensures substantial increases in fuel efficiency. Quite frankly, it is a major improvement over the current system, which has a much more rigid approach.

I want to say something. In all the time I have been working on this legislation, nobody from the automaker community has ever come to me to say: Look, we like this, but we don't like this. If you just changed it this way, it would appeal to us.

We have bent over backward to try to accommodate a bill to meet what for the past years—every time this comes up on the floor, I hear them argue: You can't evaluate small cars against big cars. Well, we don't do that in this bill.

Another thing we have done—and this was pursuant to Senator STEVENS' request and interest in the committee—this measure provides an off-ramp in 2020 in the unlikely event that there are substantial unforeseen costs.

The measure would give NHTSA the authority to set a standard lower or higher than the 35 miles per gallon in 2020. The authority could be invoked only if a thorough review of the costs of putting new technologies in our automotive fleet exceeds the agency's best estimate of the value to the Nation of setting the standard at this level. So that is the off-ramp. There can be an evaluation, a kind of cost-benefit look at the situation, and there would have to be clear and convincing evidence that the costs exceed the benefits. Obviously, we wanted to make it somewhat difficult—not a rollover so everybody could get out of it—somewhat difficult.

NHTSA would have to take into consideration billions of dollars in fuel savings, national security implications of reducing our dependence on foreign oil, the effect of global warming and air pollution, and, on the other side of the scale, additional costs to manufacturers and consumers. Given all of the clear and meaningful benefits, we believe automakers can and will be able to meet these standards, actually with little difficulty, but the provisions give NHTSA discretion in the event it becomes clear automakers cannot meet the standards down the road.

So that is what the bill does. The fact is, this legislation is past due. Our Nation has seen gas prices skyrocket over the past 5 years. It now costs $50, $60, or $70 to fill up a tank with gas. In my State of California, this is a big deal. People often have to use at least 2 tankfuls of gasoline, so instead of a tank at $20, if it is a tank at $70, instead of 4 times 20, which is $80, it is 4 times $70, just to drive to work.

In the long term, a key to reducing gas prices is to reduce demand for gasoline. By increasing fuel efficiency, we can reduce consumption and thereby reduce demand. Americans understand this. That is why, in poll after poll, the American people overwhelmingly support increased fuel efficiency. A poll published in April of this year by the New York Times and CBS shows that more than 90 percent of Americans favor legislation for acquiring more fuel efficient vehicles. Ninety percent. That is amazing. People want more fuel-efficient vehicles. A poll commissioned by the National Environmental Trust shows that more than 80 percent of truck owners favor higher fuel economy standards. That was done between April 28 and May 1 of this year. These results are consistent all across ideologic and geographic divides. Simply put, Americans by large majorities want improved mileage on their automobiles.

Now, some question whether the standards in this legislation are achievable. You have only to look at what other nations are doing to see that, in fact, they are. Canada has proposed raising its fuel economy standard to 32 miles per gallon by 2010—32 miles per gallon by 2010. Australia's fuel efficiency averages 29 miles per gallon and is expected to rise to 34 miles per gallon by 2010. Europe's fuel efficiency currently exceeds 40 miles per gallon, and that is expected to increase over the next few years. Japan's fuel efficiency averages 46.3 miles per gallon and is expected to rise to 48 miles per gallon by 2010. Even China will have a new vehicle fleet averaging 37 miles per gallon—not in 10 years, not in 5 years, but next year. So these standards have to be met by American automobile manufacturers manufacturing in China next year. They will have to meet 37 miles per gallon.

In the United States, it is 25 miles per gallon. This is really unacceptable. These higher standards are being met abroad by the same automakers who claim it is impossible to do it here in the United States. This includes BMW, DaimlerChrysler, Ford, General Motors, Porsche, Volkswagen, Honda, Mazda, Nissan, Subaru, and Toyota. All have agreed to push fuel economy well above 40 miles per gallon in Europe but say they cannot achieve these standards in the United States. Does that make sense to anybody in this body? I think not. Does it make sense to anyone in America? I think not.

Now, also, the simple truth is that the technology exists to achieve a 35-mile-per-gallon standard by 2020. Existing technology can do it. So as Detroit complains it can't do this or it can't do that, the National Academy of Sciences says it can.

This is what they tell us:

> We can increase the fuel economy—

This is what they say can be done, the National Academy of Sciences—

> of mid-sized SUVs to 34 miles per gallon with existing technology, large cars to 39 miles per gallon with existing technology, minivans to nearly 37 miles per gallon with existing technology, and large pickups to nearly 30 miles per gallon with existing technology. When you average all of this together, you will find that the fleet could achieve 37 miles per gallon, 2 miles more than this measure envisions.

This is a conservative estimate. The National Academy of Sciences study measured cost-effectiveness based on $1.50 per gallon as opposed to today's $3 per gallon. So now you can see how conservative it is. The academy didn't consider hybrids and other emerging technologies such as the popular Toyota Prius, just the standard American automobiles. So it is quite possible that even greater increases in fuel economy could be achieved.

Now, how can this all be done? By using existing technology and simple design improvements. Let me give my colleagues some of the things for which the technology already exists: better aerodynamics, alternater improvements, engine friction reduction, using more efficient transmissions, electric power steering, electric water pump, reduced engine friction, and using only engine cylinders that are necessary. These changes still could be made to great effect.

A 2006 study by the Canadian Government concluded that the cost-effective technologies identified by the 2002 National Academy of Sciences report remain available and more cost-effective than ever. Our current fleet is more powerful, accelerates more quickly, and brakes more effectively. But with all of these advances, there is one critical design feature we have not improved at all in 25 years: Today's cars get the lowest number of miles to the

gallon since 1988. That is 20 years ago—the lowest number of miles to the gallon since 1988. This has to change.

I would say to all of those who want to fight this because they think it is too strong and because Detroit objects to it that the handwriting has been on the wall for a long time and Detroit has not come in and made a suggestion. All of this scientific evidence indicates that Detroit can meet these standards, that the technology exists to meet these standards, that they are doing it in other countries but for some reason they have buffaloed the Congress of the United States into believing you can do it in China, you can do it in Europe, but you can't do it in the greatest economic power on Earth—the United States of America.

Some also say we can't increase fuel economy without reducing safety, but this also is simply not true. A recent study by groups, including the International Council on Clean Transportation, has concluded that no tradeoff—no tradeoff—is required between fuel economy and vehicle safety. The conclusion of this report is consistent with the conclusion of numerous other studies. Let me quote directly from the report:

Vehicle fuel economy can be increased without affecting safety, and vice versa.

That is on page 2 of their report.

Advanced materials allow vehicles to be both bigger and lighter, providing multiple ways to improve safety and fuel economy without sacrificing functionality. Fuel economy can be dramatically improved without compromising safety. Safety can be bolstered without sacrificing fuel economy.

That is on page 17 of their study.

There is technology in place today to be used to increase safety without sacrificing fuel economy. Let me just give my colleagues a few examples: seatbelt reminders, window curtain airbags, lower bumpers, electronic stability control, improved body structure, seatbelts that tighten if a vehicle were to roll over. It seems to me that is such a simple thing, that if automobile manufacturers wanted to improve safety, they would do that.

We saw what happened to a former colleague of ours who was not wearing a seatbelt. Nobody can challenge that seatbelts don't make one of the biggest safety improvements in the history of the automobile. When the Governor's crash took place, everybody else essentially was OK in the car except for Governor Corzine, and he didn't have his seatbelt on. If anything is clear evidence of the safety of seatbelts, this is it. So safety can be improved without an effect on fuel economy.

This legislation includes a provision that will help improve safety. It directs the National Highway Transportation Safety Administration to issue a rule that seeks to reduce incompatibility between SUVs and passenger vehicles. This could be done through measures which ensure that bumpers hit bumpers in the event of an accident. I just saw this coming to work today, where a Sedan had rear-ended an SUV, and you saw the difference because of the inequality of the bumpers. This happened just a few blocks away.

In response to the bombing of Pearl Harbor, the Ford assembly plant in Richmond, CA, switched from making cars to assembling Jeeps, tanks, and armored cars. By July 1942, just 6 months after the bombing, the Richmond Tank Depot and the women who worked there were supplying our Armed Forces with the best military hardware in the world.

Technology, paired with American ingenuity and hard work, helped us prevail in that struggle and has been a key ingredient of America's unprecedented wealth and security.

Today, we face a much different threat. It is the threat of our Nation's addiction to fossil fuels—to oil—and what that will do to our economy, to our environment, and to our foreign policy if we don't change our ways.

These are serious questions and they deserve a serious response. Increasing fuel economy is not a silver bullet. I am the first one to say that. It won't solve problems by itself. However, it is a major piece of the puzzle. We have the best universities in the world, the strongest financial system, and the best workers. We can do this. We can make these improvements. We can lead the way. We have only to find the political will.

I am very proud the bill before us now contains this legislation. I believe, as I have tried to describe—and I apologize for the length of this statement—that it is compatible with the needs of Detroit; that the legislation is drafted to respond to those needs by the class-to-class comparison, to avoid what always has been in every discussion on this floor the greatest threat to Detroit, which is to compare a small car to a large car and, therefore, make it difficult for them to manufacture large cars. This will not do that. I hope it will be voted on.

I very much thank the Chair. I know Senator SNOWE was going to come to the floor and, hopefully, she will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

AMENDMENT NO. 1505 TO AMENDMENT NO. 1502

Mr. INHOFE. Mr. President, I call up amendment 1505 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 1505.

Mr. INHOFE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. INHOFE. Madam President, I want to explain this amendment, but first I will yield to the distinguished ranking member of the committee, the senior Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, I thank Senator INHOFE for yielding to me. I am going to take a very few minutes. I have not had a second round on this. I assume both of us will. I have to leave the floor shortly for another meeting. I will stay here up to the last minute. I want to make a couple statements about the bill, as introduced, and what it does in terms of the transportation, gasoline, and diesel consumption in the country.

We have just had the Senator from California explain an amendment that is no longer an amendment; it is in this bill. The Senator expressed in a very profound way, in a very lengthy explanation, this provision which the Senator from California originated. But we must understand that, today, it comes to us from the Commerce Committee, wherein the Feinstein proposal is encapsulated in the bill that was managed in committee by Senator INOUYE and Senator STEVENS.

I believe Senator FEINSTEIN would join us in giving our appreciation and thanks to the Commerce Committee for the courage they showed. They met to try to help us put together a bill that would address the energy problems of our country and, obviously, immediately we ran into provisions of the law, or matters of law, that had to be changed, which were not part of the Energy and Natural Resources Committee.

The big one out there is what do we do about CAFE standards. What happened before is we had a big hoopla on that, and we will probably still have it, so the Senator from California ought to be ready. Obviously, even though she did not amend, it is in the bill. Those who don't like it will offer an amendment to the bill striking or modifying that provision of the CAFE standards of America that is in the bill.

Over all these years, we have been going back and forth, never getting anything done—until this year. Clearly, this bill before us, which took the CAFE standards and finally said we are going to adopt the changes recommended in the Feinstein bill, which have been bantered around—we are going to adopt it in the language of the Commerce Committee and send it over to the leader, and it will be incorporated in the bill. So when the bill comes over, it has whatever was done in the Energy and Natural Resources Committee, to save our consumption of gasoline and related products. It has the CAFE standards and a couple of other provisions. I want to say that I believe the bill before us includes the CAFE standards we have spoken of, which were put in the bill by the Commerce Committee, headed by Senators STEVENS and INOUYE.

In addition to that, which is by itself one of the biggest modifications of our

gasoline usage in this country and, obviously, it has a ways to go because it might not clear the Senate later today, or tomorrow, or whenever we figure out that the Senators who want their amendments finally come up. But as before us, this is the largest transportation savings of fuel in history. CAFE standards all by themselves would have been a very big achievement. Everybody knows that. That is in the bill. So there is one.

Secondly, we adopted just about what the President spoke of in his State of the Union Address with reference to biofuels and a new standard for those set forth in the 2005 Energy bill; that is, the big bill. We started down the path of biofuels, but all we had in there was corn-produced biofuels. What we have done in this bill is mandated 21 billion gallons which has to come from cellulosic ethanol by 2022. So the total biofuel required in our bill is 36 billion gallons. Let's hope—I think it will—that we will produce the little, tiny, remaining technology breakthrough, which we are putting everything in, and if that works, we will be on our way to the breakthrough that will permit us to use the cellulosic ethanol I have been speaking of. That will permit us to reach this new high standard of 36 billion gallons.

Remember, we get the CAFE standards, which have been explained, which reduce the amount of gas and diesel used, and then we have this gigantic breakthrough that we expect, and this tremendous amount of fuel that will come from biomass, which I stated to you was 36 billion gallons. Then this bill has a giant set of mandated efficiencies, increases in efficiencies, the biggest we have ever had. In fact, $12 billion will be saved by our consumers from the efficiency provisions, the big items you buy at your hardware store or big chain store, the items you use in your kitchen and that you wash your clothes with—those big items have the new efficiency standards, and we have been toying with them for years. Senator BINGAMAN has been trying to get them done. They are in this bill.

People might still take them out in the next week, but I don't think so. I think this bill will stay as it is. It is bipartisan. The provisions I am talking about, so far, came out of the Committee bipartisan. CAFE did not come out of our committee, but it came out of Commerce bipartisan, with a very huge majority.

I am pleased that right away when we finish that, we get on with the next thing the bill ought to have in it, and that is some new production. That brings the Senator from Oklahoma in, who has been for a long time trying to get us to do something about the refining situation in our country. I am not even totally familiar with the Senator's amendment. He has given it to us and submitted it to the Senate. Senator BINGAMAN and his staff are looking at it. We will be looking at it. I don't know when we will vote on it. With his permission, I assumed he would not be upset if we set it aside and go on to some other work and then call it up in due course in the Senate. We will do that after the Senator is finished. We don't think we are going to vote on it right away because we have to study it, and the Senator would not have wanted it otherwise. Senator BINGAMAN wants to look at it.

There is another matter that was also in this Commerce bill. It has been packaged. We have Energy matters, Commerce matters, and I note that Senator CANTWELL is standing on the floor. She had something to do with an amendment in the Commerce Committee that has to do with trying to—if there is gouging taking place out there in the hinterland of America, this amendment she and I will talk about when we are finished with Senator INHOFE's amendment will tell everybody what is in the bill about antigouging that the distinguished Senator worked on. It is mostly hers. Others might have added something, but we will talk about it, so that we put together what will be the package we can all understand—that is, the Energy and Commerce package, plus whatever else came in through the Environment and Public Works Committee—a smaller portion. Put all that together and it is a pretty good bill.

With that, I yield the floor and thank the Senator from Oklahoma for having given me a chance to speak.

Mr. INHOFE. Madam President, reclaiming my time.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, I appreciate having had the opportunity to yield to the Senator from New Mexico for his explanation. I think it is very important that we understand there are a lot of good things we are looking at in this bill. But he so accurately points out that the big problem we have today—not 10 years from now—is supply. We need to do something about the supply. The bill doesn't adequately address that.

The amendment I have called up, No. 1505, is essentially the same amendment we considered in my Environment and Public Works Committee during the years I served as chairman. It is one of these things where it is very difficult to figure out why anyone could vote against it, because it is permissive, it allows States to do things; it doesn't mandate.

I was pleased to hear the majority leader recognizing that the United States has become too reliant on foreign sources of energy. Unfortunately, the majority's bill presently doesn't improve the situation. Indeed, it could actually worsen it. The fact is that Americans are paying more at the pump because we don't have the domestic capacity to refine the fuels consumers demand. So we are talking about two ways to resolve the problem of supply. One is production, and the other is you can have all the production in the world, but if you don't have the refining capacity, you cannot get it refined and into use.

Some Members' answer is more hybrids than SUVs, but that ignores the profound impact high fuel prices have on our economy. According to the Department of Labor's recent numbers, about 3 percent of the Nation's inflation is directly attributed to high fuel prices. That means whether your constituent drives a gas guzzler, a hybrid, rides a bicycle, or walks, they are paying the same for high fuel prices.

In order to lower those prices, we have two options. We can increase the capacity at home or import more from abroad. The LA Times wrote in May 25, 2007, that ''gas supplies are tight because the United States lacks refining capacity, and every time a refinery shuts down for maintenance, or because of an accident, prices rise. Americans are starving for affordable energy, and the majority's bill tells them to go on a diet. That is good. We want to have these things to help with our consumption. But the Energy bill really does nothing today in terms of taking care of the supply problem we have.

The good news is it is not too late to do something to improve the situation. It is in that good faith to improve the energy security position of our country that we are offering the Gas Price Act. The lack of domestic refining capacity is not new to many Members, the public, or even to the Federal Reserve. In May of 2005, Chairman Alan Greenspan stated:

> The status of world refining capacity has become worrisome and the industry is straining to meet markets which are increasingly dominated by transportation fuels that must meet ever more stringent environmental requirements.

While chairman of the Committee on Environment and Public Works, I held a series of hearings to look into this issue. The very same month I held one of those hearings, the senior Senator from California, who was on the Senate floor speaking a moment ago, Mrs. FEINSTEIN, made this statement in a letter to the Governor of California. It says:

> I can see where the cumbersome permitting process, with uncertain outcomes, would make it difficult to plan and implement projects . . . I encourage you to improve the speed and predictability of the permitting process, and believe that this will allow business and government to focus on their limited resources on actions that most benefit the environment.

That is the statement Senator FEINSTEIN made in a letter to Governor Schwarzenegger. I wholeheartedly agree with that statement.

The amendment that Senator THUNE and I are offering today will improve the energy security of the United States, and it will do so in complete compliance with environmental laws and in concert with State interests.

In her letter to Governor Schwarzenegger, the senior Senator

from California was correct in recognizing much of the permitting decisions are by States and not by the Federal Government. That is why we work very hard to recognize the importance of State and local groups in making those decisions.

The Environmental Council of States, which represents State departments of environmental quality, said as much. Keep in mind, this is the council that represents all the different State departments of environmental quality, as well as noting that the Gas Price Act does not weaken the environmental laws.

Similarly, the National Association of Counties stated:

> It goes a long way in addressing the concerns of local governments during a refinery siting, ranging from the importance of considering local needs, concerns, and honoring a county's land use authority.

It is important to point this out because it seems that time and time again, some of the Members of this body hide behind the vague concerns over the environment in defending their failure to improve U.S. energy security. After working with a variety of stakeholders, this bill achieves both goals. It increases energy while preserving local governments and environmental quality.

The fact is, like it or not, the United States needs to increase its domestic refining capacity if we are to solve the economic struggles facing every family.

The amendment we are offering today redefines and broadens our understanding of a refinery to be a domestic fuels facility. Oil has and will continue to have a role in the U.S. economy, but the future of our domestic transportation fuel system must also include new sources, such as the ultraclean synfuels derived from coal and cellulosic ethanol derived from homegrown grasses and biomass.

Expanding the existing domestic fuels facilities or constructing new ones is a maze of environmental permitting challenges. This is what the Senator from California was talking about a few minutes ago in trying to encourage Governor Schwarzenegger to streamline this permitting process.

This amendment provides a Governor with the option of requiring the Federal EPA to provide the State with financial and technical resources to accomplish the job and establishes a certain permitting process for all parties. The public demands increasing supplies for transportation fuel, but they also expect that fuel to be good for their health and for the environment.

To that end, the amendment requires the EPA to establish a demonstration to assess the use of Fischer-Tropsch diesel and jet fuel as an emission-control strategy. Initial tests found that Fischer-Tropsch diesel significantly reduces criterion pollutants over conventional fuels and could easily be transported with existing infrastructure.

It should be noted that the ongoing tests at Tinker Air Force Base in my home State of Oklahoma found that Fischer-Tropsch, or coal-to-liquid aircraft fuel, reduced particulates 47 to 90 percent and completely eliminated the SO_X emissions over fuels that are used today.

I might add, this is a technology that is here. It needs to be improved upon. We are currently flying a B–52 that has eight engines using this type of fuel.

Good concepts in Washington are bad ideas if no one wants them at home. As a former mayor of Tulsa, I am a strong believer in local and State control. This is something that is controversial in Washington. There are a lot of people in this body who don't think any decision is a good decision unless it is made in Washington. I am the opposite. I feel closer to the people. They should be more involved, and that is why we structured it the way we did.

The Federal Government should provide incentives rather than mandates on local communities. Increasing clean domestic fuel supplies is in the Nation's security interest, but those facilities can also provide high-paying jobs to people in towns in need.

Our amendment provides financial incentives to the two most economically distressed communities in the Nation, towns affected by BRAC and Indian tribes, to consider building both liquids and commercial scale cellulosic ethanol facilities. Here we are talking about people who have gone through the BRAC process, people who have in their States facilities that were military facilities that were closed during the base realignment and closure process.

I am very proud my State of Oklahoma is the leader in the development of the energy crops for cellulosic biofuel. The key now is to promote investment, and nothing would speed the rapid expansion of the cellulosic biofuels industry more than investments by the Nation's traditional providers of liquid transportation fuels.

We have in the State of Oklahoma the Noble Foundation, Oklahoma State University, and Oklahoma University—all very much involved in the development of cellulosic biofuels. It is a technology that is coming. We know it is. I guess what we need to do is understand, while it is coming, we still need to run this great machine called America.

Many integrated oil companies have formed and substantially expanded their biofuels divisions within the past year to prepare for the eventuality of cross-competitive cellulosity biofuels. Oil companies invest in exploration because their stock prices are affected by their declared proven reserves. Creating a definition of renewable reserves would create a similar incentive for them to invest in cellulosic biofuels.

The Energy Policy Act of 2005 directed the Department of Energy to accelerate the commercial development of oil shale and tar sands. Given the country's interest in developing renewable alternatives to fossil fuel, it is logical that the SEC would develop criteria in cooperation with biomass feedstock sources in its hierarchy at the same time.

This is Congress's least expensive way to jump-start the cellulosic biofuels industry. Increasing capacity to produce clean fuels at home is critical in making America more secure. Passing the Gas Price Act would be a material and substantive action toward this majority's stated goal of energy independence. To vote against it underscores something altogether. They like higher gas prices at the pump.

What we are talking about is something that is permissive. It allows States to opt out, if they want, and it streamlines the permitting process. It requires EPA to establish a demonstration to assess the use of Fischer-Tropsch diesel and jet fuels. It will help in our refining capacity, if we are talking about refineries for petroleum or refineries for biofuels or any other kinds of refineries.

To have a comprehensive Energy bill, we need to do what we have done, what we have already done in this bill, but the problem is here today, as was pointed out by the Senator from New Mexico. We have a supply problem, and that supply problem is here and now. The gas price amendment to expand our refining capacity would dramatically and immediately relieve that problem.

Mr. DOMENICI. Will the Senator yield?

Mr. INHOFE. Again, there are two supply problems—one in production and one in refining capacity.

I will be glad to yield.

Mr. DOMENICI. Madam President, I told Senator BINGAMAN that I have to leave the floor for about 20 to 25 minutes, and I need somebody here.

Mr. INHOFE. I will be happy to do it. Let me repeat what I told Senator BINGAMAN privately. I have no intention of bringing up this amendment for a vote now. We will set this amendment aside for other amendments and then hopefully we will have several lined up tomorrow. I think tomorrow we will start these votes.

Mr. DOMENICI. That is what I wanted to tell the Senator. Madam President, can the Senator from Oklahoma stay in my stead?

Mr. INHOFE. Madam President, I will stay in his stead.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I know there are others waiting to speak. I don't want to delay the proceedings greatly, but I do have some concerns. I would like to ask a couple of questions of the amendment sponsor, if I can.

Mrs. BOXER. Will the Senator yield to me for a question?

Mr. BINGAMAN. Yes, I am glad to yield.

Mrs. BOXER. Because there is so much concern about this amendment

from within this committee and others, I would like to have a vote on this amendment. I don't want to take a lot of time. But I am wondering if my friend will propound some type of unanimous consent request so that the Senators on the floor can respond to the presentation by Senator INHOFE, but then give him time. I just think it might make for a more even flow.

Mr. BINGAMAN. Madam President, let me respond. I think the simpler thing would be to have the Senator from California, who is the chair of the committee of jurisdiction, go ahead with any statement she wants, and I will withhold my questions at this point. I know there are others wishing to talk about CAFE standards.

The Senator from Oklahoma has indicated a willingness to set his amendment aside. He is not pushing for a vote at this time. Why doesn't the Senator from California go ahead and speak in response to the amendment at this point, and then perhaps we can have the other Senators who want to talk about CAFE standards talk about that issue, and we will see what other amendments we can also line up.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, of course, I support Senator INHOFE's right to offer this amendment, but, to me, it is a disastrous amendment because it is a taxpayer giveaway to the oil companies. And I will explain why it is a total taxpayer giveaway to the oil companies that are making more money now than ever in history.

It doesn't do one thing to expand energy supply—not one thing. It shortcuts many environmental laws, which I will not go into at this time, but if we get further time, I will do that. It shortcuts many environmental laws that protect the air quality which is so important to our families. In California, 9,900 people every year die of particulate matter in their lungs. We cannot afford to say we are going to forget about air quality. That is a disaster. We don't want to become a China where they don't care about their people and their people suffer. We don't want to go there.

In the Energy bill in 2005, oil companies got a huge break, and it was made very attractive for them to open new refineries. My staff informs me that not one company has taken advantage of this break. So there is nothing that I think suggests that even going as far as Senator INHOFE goes, which is a total giveaway, will result in increased energy supply.

This bill never made it out of our committee when the Senator was chairman. It was never offered in the committee since I have been chairman. And if it were to be offered, it would go down.

Let me tell a story about Bakersfield, CA, where Shell Oil owned a refinery. We were all saying how important it was to continue the production of gasoline. In California, 2 percent of our gasoline supply came from this particular refinery.

Guess what. Shell Oil announces they are shutting down the refinery.

We were stunned, and we said: Why?

They said: We are not making a profit.

Guess what we found out. They were making a huge profit.

Then they said: We can't find a buyer.

We said: Really?

We went to the attorney general. We said: Can you help us?

He got involved. At that time, it was Bill Lockyer. Guess what. Somebody stepped forward to purchase the refinery.

Shell Oil wanted to shut down the refinery because they wanted to manipulate the supply. It is as simple as that—more money in their pocket, vertical integration. These are the people we want to reward with the Inhofe amendment? I think not. I think quite the opposite. I think we ought to agree to Senator CANTWELL's antigouging amendment. I think we would want automatic investigations by the FTC. That is what I think we would need.

I wish to address some other aspects of this bill. As I understand it, there is an aspect of this bill which I want to make sure my colleagues understand before they come to vote on it, if, in fact, we have a vote. When I say this is a taxpayer giveaway, I mean what I say. There are expedited permits, waiver of all kinds of environmental laws, there is access to Federal lands, free. I say to my friend from New Mexico, can you imagine any other industry that gets free access to Federal lands? Not only do they not have to pay for the land, but they get 88 percent of the costs of the refinery if they are on Federal land and 100 percent reimbursement if they are on Indian land. What a situation—at a time when oil company profits are going through the roof and CEOs are coming before us and putting their heads down as we look at the amount of bonuses they are getting—into the tens of millions of dollars. This is the time to give them Federal land for refineries, which they have shown they are not interested in building? Waive all environmental laws to the detriment of the health and safety of America's families? Reimburse them for 88 to 100 percent of the cost of building their plant? What a deal. If people vote for this, I have a little piece of land in a very rocky part of California I could sell you. This makes no sense at this time.

I say to my colleagues, it is very important that we have supply. I am supporting this new fuels mandate. I see wonderful opportunities in the area of cellulosics that I think are fantastic, very exciting. I am willing to invest in research so we can use coal in a clean way. These things are all exciting. This is an opportunity for business. We don't have to give away the store to the oil companies to build these refineries when, again, I have experience that tells me they are actually shutting down refineries.

In California, the case in point is the Shell oil refinery in Bakersfield, one of the biggest scandals we had there, with nontruths coming after nontruths.

''We don't really want to close it down, but we have to because it is not profitable.'' Oh, yes, it turned out it was profitable. They just want to manipulate the supply.

''We can't find a buyer, we are looking high and low and can't find a buyer.'' In 3 weeks, the attorney general found them a buyer.

Here is the point about this Energy bill which Senator BINGAMAN is managing. It is the product of three or four different committees, and the bills that are included in the majority leader's package are bills that came out of committee. They have gone through the committee. They have been debated, they have been discussed, and they have been voted out. This particular plan of my friend's—he has every right to offer his amendment. I defend his right to offer it. But it never passed our committee even when the Republicans were in control. It certainly would not pass out of committee today. It is a taxpayer giveaway with absolutely no proof that refineries would be built.

I stand so strongly against this bill, on behalf of the American taxpayer as well as in behalf of the American families who want their health protected and do not want us to waive every single environmental law that protects the quality of the air they breathe inside their bodies.

I yield the floor. I will be back to respond to the comments of my good friend from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Let me respond.

I am not sure what bill the Senator from California is talking about. She didn't really describe this bill at all. Let's go through very quickly her four points, if the Senator from California would like to listen.

First of all, the EDA portion provides grants to local communities, not oil companies. This is not grants going to oil companies. Maybe the Senator from California has not gotten emotional in experiencing what has happened when there are BRAC closings and some of the bases have had to close. But when that happens, the EDA does have the function, and the EDA in this case can provide grants if local communities apply for these grants. If they do not want to apply for them, they do not have to do it. The fund seeks to promote development of future fuels, coal to liquids, cellulosic biomass, not just oil.

This is not the same amendment, I might add, as we tried to pass unsuccessfully by a one-vote margin in the Environment and Public Works Committee.

Second, this idea that there is a rollback in environmental laws—the association representing the environmental

concerns of every State, the Environmental Council of States, clearly states this will not do any such thing. Here is the Environmental Council of the States. Every State belongs to this, including California. It says in here:

This bill does not weaken the standards and allows each State to choose its best course on most of the matters detailed in the bill.

So there you have it. On this matter, the organization that represents all the environmental groups is strongly supporting this.

Will do nothing to increase energy independence? The reason the United States is vulnerable, in a vulnerable position, is because we don't have an adequate supply to meet the demand. Supply—that is what I have been talking about since we started talking here. Reducing demand is only one part of the equation. We want to reduce demand. We also want to increase supply.

I would say probably the most damaging thing that has been stated by the junior Senator—here is a quote by the senior Senator from California. When she talks about streamlining permitting, yes, that is one of the big problems. So I used a quote by Senator FEINSTEIN in a letter to Governor Schwarzenegger. I will read it again because I think maybe the junior Senator wasn't in the Chamber when I talked about this. This is a quote out of the letter:

I can see where a cumbersome permitting process, with uncertain outcomes, would make it difficult to plan and implement projects . . . I encourage you to improve the speed and predictability of the permitting process, and believe that this will allow business and government to focus their limited resources on actions that most benefit the environment.

That is exactly what we want to do. That is a very acute observation by the senior Senator from California.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I was not aware that Senator FEINSTEIN was supporting your amendment. Is that what you are suggesting?

Mr. INHOFE. This is a quote. Would you like me to read it again?

Mrs. BOXER. I would like you to read it again.

Mr. INHOFE. I will read it again.

Mrs. BOXER. I would really like that because you are implying that she supports your amendment.

Mr. INHOFE. No, no; I am saying she is concerned about the permitting process.

Mrs. BOXER. We all are. That doesn't mean we support your amendment. Go ahead, read it again.

Mr. INHOFE. ''I can see where a cumbersome permitting process, with uncertain outcomes, would make it difficult to plan and implement projects . . . I encourage you to improve the speed and predictability of the permitting process, and believe that this will allow business and government to focus their limited resources on actions that most benefit the environment.''

This is exactly what this bill does. We have a section in here that allows States, if they want to do it—and there is nothing wrong with allowing States to do what they see is in their best interests. I agree with Senator FEINSTEIN that this would allow States to overcome this cumbersome permitting process, as she states in her statement.

Mrs. BOXER. Madam President, if I might say, I appreciate hearing that. It has nothing to do with this particular amendment, which, basically, is a giveaway to the energy companies at a time when they are making a fortune.

We have a Federal Clean Air Act. We have it for a reason: Air goes from one State to another, one region to another. That is what we have. It is a Federal Clean Air Act. This was passed under Republican and Democratic administrations, over and over again. This is what the people want.

Do they want streamlining of permits? Yes. We all do. I was a county supervisor. I did a lot of my work streamlining permits. That doesn't mean backing off on protecting the people you represent and making sure you have an adequate timeframe to ascertain what are the pollutants that are going to come out of the smokestacks here. What are the diseases that could follow if these pollutants get into the lungs of the people?

This is an amendment which hides behind the word ''streamlining.'' But what it really does, it waives environmental laws.

Yes, I know a lot about this particular amendment. I have to say, the Senator from Oklahoma talks about these local redevelopment authorities—you could have 10 people from oil companies on those redevelopment authorities. You could. So you cannot stand here and tell me this is protective of the public interest.

We have an amendment which has been offered as some kind of a fix to the lack of refineries. You take a look at our refineries. I think the Senator from Washington is aware of this. They remind us a lot of the problems we had with Enron. They keep taking power offline, shutting down the refineries for so-called maintenance, at higher and higher levels. And when Shell Oil had a chance to expand a refinery or keep it going, they chose to shut it down.

My friend doesn't think the refinery companies, I guess, are making enough money. They are making record profits. He wants to give them land for nothing. He says it goes to a redevelopment agency. Yet there is no protection for the public there. At the end of the day, these companies are getting it for free, whether they are getting it from the Federal Government directly to them or the Federal Government through a redevelopment agency. Environmental laws are waived. People in this country will not be protected. It is a backdoor way to repeal part of the Clean Air Act at a time when people are dying of particulate matter.

Now, if you are on Indian land, you get that land, and you get reimbursed 100 percent for the plant. So my friend can get up and say: I didn't read it. And he could read me a quote from my friend, Senator FEINSTEIN, who, as far as I know, is not supporting his amendment. I mean, it is a very tricky thing. I can hold up a statement from Senator DOMENICI and say: Look at this statement.

I can hold up a statement from every Republican from a speech they made saying how important it is that the people be protected from lung cancer. That has nothing to do with this amendment. It is a good debating tactic, but at the end of the day this amendment failed in the Environment Committee when the Senator from Oklahoma had the gavel, and this amendment would clearly have failed in the committee when I was holding the gavel.

So the fact is, what we are trying to do in this particular legislation is gather around amendments that have been voted out of committee in a bipartisan fashion, that were not contentious, like this one; that are not argumentative, like this one; and that are very unclear and are going in uncharted waters, like this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Let me respond again. The distinguished junior Senator from California can say over and over and over again as many times as she wants that it is giving money to oil companies. It is not.

Specifically, the EDA portion provides grants to local communities if they want them. If the local community doesn't want them, they don't have to have them.

At this point in the RECORD I want to have printed a letter from the EDA that says:

No for-profit entity is eligible to receive EDA assistance.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION,
Washington. DC, October 21, 2005.

Hon. JAMES M. INHOFE,
Chair, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR CHAIRMAN INHOFE: This letter responds to the Committee on Environment and Public Works' request on October 19, 2005 for clarification on the Economic Development Administration's (''EDA'') mission and entities that are eligible to receive EDA assistance, as well as additional information on EDA's past involvement in base realignment and closure (''BRAC'') rounds.

EDA's mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. To implement this mission, EDA is directed by its authorizing statute, the Public Works and Economic Development Act of 1965, as amended (''PWEDA''), to foster economic growth by ''empowering local and regional communities experiencing chronic high unemployment and low per capita income to develop

private sector business and attract increased private capital investment'' (Section 2(a)(3)(C) of PWEDA).

EDA is authorized to provide assistance only to an ''eligible recipient,'' as that term is defined in PWEDA. An ''eligible recipient'' means a(n) (1) economic development district; (2) Indian tribe; (3) State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities; (4) city or other political subdivision of a State; (5) institution of higher education; or (6) public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State (Section 3(4)(A) of PWEDA). No for-profit entity is eligible to receive EDA assistance with one exception: EDA may provide a grant to a for-profit entity under its Training, Research and Technical Assistance program (Section 3(4)(B) of PWEDA). However, this relatively small program is not applicable to the provision of EDA assistance for the reuse of former military installations.

For the most recent BRAC round, beginning in FY 1994, Congress (Commerce-Justice-State appropriators) began adding a Defense Economic Adjustment line item to EDA's annual appropriations. In FY 1994, EDA received $80 million in defense economic adjustment funding. The high-water mark of this round came in FY 1995, with BRAC '95 underway, in which EDA received an appropriation of $125 million in defense economic adjustment funding that was subsequently slightly reduced due to an across-the-board rescission that year. Defense economic adjustment appropriations then slowly declined through FY 2001. The table below depicts actual EDA Defense Economic Adjustment appropriations (after any rescissions or adjustments) for the most recent BRAC round.

[Dollars in millions, after rescissions, if any]

Fiscal year	Defense Economic Adjustment appropriation
1994	$80
1995	120
1996	90
1997	90
1998	89
1999	84.8
2000	77.3
2001	31.4

Defense Economic Adjustment appropriations have been allocated among EDA's six (6) regional offices based on a variety of factors, including the number of major installation closures located within the regional office's designated region, the number of military and civilian personnel dislocations resulting from base realignments, the number of affected defense installation contractors (not relevant to the current round), and the relative economic distress level of the affected area.

Each fiscal year, EDA's regional offices have awarded assistance to BRAC-affected communities based on the policies and procedures in place at the time of each award. These policies and procedures are published in the Federal Register each year in EDA's Federal Funding Opportunity (''FFO'') notice. The FFO also specifies EDA's Funding Priorities for the funding available during that fiscal year. Funding Priorities include such items as investing in transportation, communications, or other sector-specific infrastructure enhancements. In no instance has any one funding priority utilized all of a regional office's defense economic adjustment allocation. Rather, investments are made across different priority areas based on the needs of the local and regional economy.

EDA Defense Economic Adjustment investments made during the most recent BRAC round, covering the period from FY 1994 through FY 2001, are depicted in the enclosed tables. As requested, the tables include the investment recipient, location, EDA grant dollars, and jobs and private investment realized when available.

Thank you for this opportunity to explain EDA's mission and its policies and procedures related to BRAC, and to provide additional information on EDA's past BRAC-related investments.

If you have any additional questions, please do not hesitate to contact David T. Murray, EDA's Director of Intergovernmental Affairs, at (202) 482–2900.

Sincerely,

BENJAMIN ERULKAR,
Chief Counsel.

Mr. INHOFE. Then, also, the permitting process is a small part of this amendment, but it is a very important part. It is a part that we have, subtitle A, about 4 pages, talking about trying to make the permitting process more streamlined. And that is where I used the statement from Senator FEINSTEIN, who certainly agrees when she says: I can see where a cumbersome permitting process with uncertain outcomes would make it difficult to plan and implement projects.

Well, that is just one of the many things that we are trying to correct with this bill. Again, I have responded to all of the other statements that were made. I would repeat in terms of the environment, I am going to go ahead and submit for the RECORD at this point, along with the letter on the EDAs, a letter from the Environmental Council of the States, when they state very specifically: The bill does not weaken the standards and allows each State to choose its best course for most matters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENVIRONMENTAL COUNCIL
OF THE STATES,
Washington, DC, October 25, 2005.

Re S. 1772 Gas PRICE Act.

Hon. JAMES M. INHOFE,
Chairman, Senate Committee on Environment and Public Works, Dirksen Senate Office Building, Washington, DC.

Hon. JAMES M. JEFFORDS,
Ranking Member, Senate Committee on Environment and Public Works, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN INHOFE AND SENATOR JEFFORDS: I am writing to provide comments on behalf of the Environmental Council of the States (ECOS) on the above bill. ECOS is the national, non-partisan association of the States' environmental agency leadership.

We appreciate the Senate's desire to address the shortcomings of the nation's refinery processes exposed by the recent hurricanes and hope our comments assist you.

States implement most of the federal environmental statutes on behalf of the federal government, including most programs that regulate the nation's refmeries. These include the Clean Air Act, the Clean Water Act and the Resource Conservation and Recovery Act. States issue most of the environmental permits pursuant to these Acts, as well as conducting the inspections, monitoring and enforcement.

While each State's opinions may vary over the details of the bill, we can agree that the bill takes an approach that we would like to see in more legislation. I speak here of the ''opt-in'' feature.

In this approach, the Governor of each State decides whether the benefits the bill provides are appropriate for the State. This includes the streamlined permits approach, the judicial review of such arrangements (Title II), and the fuels waiver (Title IV). Some concern remains about the special fuels provisions. We appreciate that within Title IV a state would be held harmless under section 110 to account for the emissions from a waiver granted by the Administrator at the request of that State. We would not expect such emissions to significantly contribute to another state's air quality issues, but would note that the protection afforded should be limited to that extent.

ECOS has long emphasized the need for the flexibility that allows each State to tailor its environmental programs according to its needs. This bill does not weaken the standards and allows each State to choose its best course on most of the matters detailed in the bill.

Our primary reservation is that the bill, if passed, not be conferenced with the recent Gasoline Security Act of 2005, passed by the House.

Sincerely,

STEPHANIE HALLOCK,
President.

Mr. INHOFE. I think there is a basic, as I said before, problem in disagreement on the floor of this body when there are a lot of people who do not think that decisions, good decisions, are made unless they are made in Washington, DC.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I just have one last response. I don't know how many of my colleagues ever sat on a redevelopment agency. I happen to have done so when I was on county board of supervisors. And it is disingenuous to say it is the redevelopment agency that gets the benefit. The redevelopment agency is the conduit to the private sector, and that is where the benefit goes.

Now, in many cases it is totally fine. When I sat on the redevelopment entity, it was because we had a very rundown part of our county that needed support. And so whatever it was we could give to them, any benefit in the Tax Code, et cetera, that is what we did.

But how about this? The benefit goes to the particular businesses now that are making record profits. I would tell you, the American people looking at this debate are going to say: Why aren't you protecting us from price gouging like Senator CANTWELL suggests? That is the bill that is in the package, not this bill which essentially says we are taking away clean air protection, we are going to have 50 different standards here, 50 different permit processes. What a nightmare. We are giving away the money of the taxpayers to the biggest corporations in America that are making the most money ever—not only giving them the land but paying them back for all of their costs.

To me, to put this in this package will doom this package. I just hope if and when this does come up for a vote, there will be a resounding no. It was voted down in the committee, and it ought to be voted down on the floor of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I would observe that the junior Senator from California is not going to support my amendment. However, I would also observe that you can't keep saying the same thing over and over and over again and make it true.

We have quoted the Environmental Council of the States. They all say there is nothing in here that is going to be damaging to the environment. Anyway, it is my understanding that I am going to be willing to set this aside for other amendments, so we can perhaps get in the queue and have several votes tomorrow, whenever the appropriate time is.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I wanted to follow my colleague, Senator BOXER, to talk just a bit about the automobile efficiency standards that are in this bill. I played a role in the Commerce Committee in helping to write a portion of that.

Before I do that, let me say it is often the case that a piece of legislation brought to the floor of the Senate dealing with an important issue is described as something that is very significant, earthshaking. And in most cases it does not turn out to be quite that significant.

My dad once told me: Never buy something from someone who is out of breath. There is always kind of a breathless quality to reform packages that are brought to the floor of the Senate. I must say, however, that I think what we have on the floor of the Senate, perhaps with some amendments, is a significant change with respect to an issue that we should address; that is, energy.

Let me talk about the automobile efficiency issues and the issues of renewable fuels and renewable energy. Now, I noted that the OPEC countries have weighed in the last few days. This is dated June 7. It says: OPEC—that is the cartel—those are the countries that have formed a cartel. They produce a substantial portion of our country's energy, the world's energy. About 40 percent of global oil production comes from the eight OPEC countries.

Here is what OPEC says. OPEC, on Tuesday, warned Western countries that their effort to develop biofuels as an alternative energy source to combat climate change risks driving the price of oil, ''through the roof.''

The Secretary General of the Organization of Petroleum Exporting Countries said: The powerful cartel was considering cutting its investment in new oil production in response to moves by the developed world to use more biofuels.

So let me say again what this is. This is the OPEC cartel, which, of course, would be illegal in our country, getting together and saying to the United States: If you begin to produce more biofuels, ethanol and so on, we may well cut our production of oil, which would have the capability of then putting upward pressure on oil and gas prices; almost certainly it would do that. An interesting and I think also disturbing message from the OPEC countries.

But this underscores why we need an Energy bill. I mean we are held hostage by a group of people sitting in a room, called OPEC ministers, deciding how much they are going to produce, at what price they want to produce it. They close the door, make judgments in secret in a secret cartel that would be illegal in this country. They say to us: Oh, by the way, if you want to get out of this box that you are in, by producing more of the energy yourself in the form of renewable fuels, good luck. By the way, tough luck, because we may well decrease our own production.

Well, if I might just point out that this bill itself, it has some titles. Let me read the titles of the bill. I am sure my colleagues have done that: Title 1, Biofuels for Energy Security, it is a very important title; title 2, Energy Efficiency, there is substantial energy to be gained in the efficiency standards; title 3, Carbon Capture, Storage, Research and Development; title 4, Cost-Effective, Environmentally Sustainable Public Buildings. All of this is important.

With respect to the biofuels, I was thinking as I was sitting here, about a young guy who came up to me one night. He was about 21 years old. He came up to me at a community meeting in North Dakota and said: I just came in from the west coast. I drove a pickup truck from the west coast on vegetable oil. He was fueling his pickup truck using vegetable oil.

Here is a kid that is working for alternative fuels groups out on the west coast someplace with stars in their eyes and dreams about finding alternative fuels that work.

I said: Well, how does it work when you use vegetable oil?

He had modified his engine in his pickup truck and drove across the Northern Tier using vegetable oil. He said: It worked great until they got to Montana, by the way, no offense to the Montanans here. He said it worked great until we got to Montana when it got kind of cold. Then the viscosity of that vegetable oil thickened up and they could not quite use it for a while.

But the point is, there are a lot of people doing inventive, interesting, fascinating things fueling their vehicles, creating modifications to vehicles. We are talking about creating a very substantial and aggressive standard for what are called biofuels, particularly ethanol and cellulosic ethanol, and so on.

Now, my colleague from California talked about automobile efficiency, and the automobile efficiency standards that we have created. Let me make the point first that there has been no change in 25 years to these standards. None. I have actually been persuaded in years past by those who say: Well, let's have NHTSA, the National Highway Traffic and Safety Administration within the Department of Transportation, develop these new standards.

The fact is, that is an excuse for doing nothing. It is pretty evident to me now that nothing will happen if that is what we continue to do. So we, as a Congress, on a bipartisan basis, have said: We need more efficiency with respect to our vehicles.

We use about 145 billion gallons of fuel a year in this country, 145 billion gallons of fuel. If we blended every gallon with ethanol, that would be a market of 14½ billion gallons of ethanol. We have created a renewable fuel standard of 7½ billion gallons of ethanol by 2012. I was one of the authors of that just a couple of years ago. We are going to exceed that very quickly. We are probably at that level now, and going to be at 10 billion gallons in 2 or 3 years.

So now we are going to go to 36 billion gallons of renewable fuels. The OPEC countries say: Oh, this is awful. The roof is going to come in. We may decrease production of oil if you decide you are going to move in another direction.

Even as we do that, believing that with 70 percent of the oil that we import into this country being used in vehicles. And, understanding then we must make the vehicles more efficient if we are going to become less dependent on the OPEC countries and less dependent on foreign sources of oil from whom we now get over 60 percent of our oil, then we have a CAFE standard in this bill.

Now here is the result of the CAFE or the automobile efficiency standard in my State's newspapers, and I assume others by the auto industry. This is the Alliance of Automobile Manufacturers. They are putting full-page ads in the newspapers, and they are also doing direct mail to constituents: Say no to extreme fuel economy increases. Make sure you don't pass these increased automobile efficiency standards.

Well, that is what they have been saying for 25 years, and nothing has changed. I have told this story repeatedly, and I will again because I think it is important. The first car I purchased as a young boy in high school was a 1924 Model T Ford for $25. It had been sitting in a grainery for decades. A guy sold it to me for $25. I spent 2 years trying to get it to run.

I restored that old Model T Ford. What I discovered was you put gasoline in a 1924 Model T Ford exactly the

same way you put gasoline in a 2007 Ford. Everything else about the vehicle has changed. Everything. There is more computing power in a 2007 brand new car than there was on the lunar lander that put the astronauts on the moon. Everything about these vehicles has changed except you still have to stick a gas hose in the tank and start pumping.

We did that in the 1924 model car, and you do it today in a 2007 model car. I would like to see us move and pole-vault to a new future. I happen to believe we ought to move to a hydrogen fuel cell future, where you have twice the efficiency of power to the wheel and put water out the tailpipe.

What a wonderful thing that would be. And hydrogen, of course, is ubiquitous. It is everywhere. You can take wind energy, produce electricity from the wind, use the electricity through the process of electrolysis, separate hydrogen from water, store hydrogen for vehicle transportation.

There are so many things we can do, but let's start, let's at least start, with the current vehicle fleet, saying to the automakers that we intend and expect you to produce more efficient automobiles.

The CAFE standards we have created that are in this legislation are called ten-in-ten. It is not unreasonable to believe that we should expect greater efficiency in these vehicles. Yes, we know the improvements that have been made in vehicles: better cupholders, more adept sound systems, all of the wonderful things that come with all of these new cars. But what about more efficiency? Nothing has changed.

A friend of mine looked at an identical vehicle they purchased 10 years prior. They loved the vehicle. So 10 years later they are ready for a new vehicle. They looked at the sticker on the window and discovered that in 10 years, the efficiency of that vehicle had not changed by 1 mile per gallon, not 1.

That describes the failure. We ought to certainly expect better than that.

Let me say also, in addition to supporting the automobile efficiency standards we will be voting on—standards that are bipartisan, standards that are reasonable, standards that have an off ramp so if they are not achievable, the industry will not have to meet them—they will have to demonstrate they are not capable scientifically of doing so.

In addition to that issue, which is so important, I wish to mention the issue of fossil fuels. We are, in fact, going to use fossil fuels in our future—coal, oil, and natural gas. I am a big supporter of renewable energy sources and renewable fuels. I believe that strongly. Whether it is wind, biomass, geothermal, renewable fuels, all of those are critically important. We will continue to use fossil fuels. It is important to me that we find ways to unlock opportunities to continue to use coal in a way that doesn't degrade the environment.

We have now finally come to an intersection. That intersection includes energy policy and climate change. We need to find a way, through clean coal technology and other issues—I will be working on that in the appropriations subcommittee which I chair—to continue to use those resources, particularly coal.

My colleagues have included, with my support, the efficiency titles of this legislation which are very important. Everything we do every day, from turning on a light switch to using appliances, everything we do every day and in every way uses energy. There are dramatic advances in lighting and dramatic savings to be had with respect to lighting standards in this bill. We fought for a long while about an obscure term called SEER 13 standards for air conditioners. We fought tooth and nail. The requirement for SEER 13 standards on air conditioners is very important and will require us to build fewer new energy plants because of the savings and the conservation that comes from that efficiency standard.

There is a lot to commend in this legislation. The next important step will be an amendment offered by Senator BINGAMAN that I will cosponsor with others called the renewable energy standard which will require 15 percent of our electric energy to come from renewable energy. That is an important standard and one I hope the Congress will embrace and support.

I am going to be speaking on other amendments as well. I again commend Senator BINGAMAN and Senator DOMENICI. We have a good start. I come from not only the Energy Committee but Senator STEVENS and Senator INOUYE on the Commerce Committee on which I serve, Senator BOXER and Senator INHOFE and others who have worked on this legislation. We are off to a start that can be a very important policy change and a new direction for the country in energy policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut

AMENDMENT NO. 1508 TO AMENDMENT NO. 1502

Mr. LIEBERMAN. Madam President, before the Senator from North Dakota leaves the floor, I would like to clarify something he said. He indicated his first car was a 1924 model car. I wanted to clarify that he did not purchase it in 1924.

Having done so, I now call up amendment No. 1508.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for Mr. BAYH, for himself, Mr. BROWNBACK, Mr. LIEBERMAN, Mr. COLEMAN, Mr. SALAZAR, Mrs. LINCOLN, Ms. CANTWELL, Mr. KERRY, Mr. DODD, Mr. KOHL, Mr. REED, and Ms. COLLINS, proposes an amendment numbered 1508 to amendment No. 1502.

Mr. LIEBERMAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for the publication and implementation of an action plan to reduce the quantity of oil used annually in the United States)

Strike section 251 and insert the following:

SEC. 251. OIL SAVINGS PLAN AND REQUIREMENTS.

(a) OIL SAVINGS TARGET AND ACTION PLAN.—Not later than 270 days after the date of enactment of this Act, the Director of the Office of Management and Budget (referred to in this section as the ''Director'') shall publish in the Federal Register an action plan consisting of—

(1) a list of requirements proposed or to be proposed pursuant to subsection (b) that are authorized to be issued under law in effect on the date of enactment of this Act, and this Act, that will be sufficient, when taken together, to save from the baseline determined under subsection (e)—

(A) 2,500,000 barrels of oil per day on average during calendar year 2016;

(B) 7,000,000 barrels of oil per day on average during calendar year 2026; and

(C) 10,000,000 barrels per day on average during calendar year 2031; and

(2) a Federal Government-wide analysis demonstrating—

(A) the expected oil savings from the baseline to be accomplished by each requirement; and

(B) that all such requirements, taken together, will achieve the oil savings specified in this subsection.

(b) STANDARDS AND REQUIREMENTS.—

(1) IN GENERAL.—On or before the date of publication of the action plan under subsection (a), the Secretary of Energy, the Secretary of Transportation, the Secretary of Defense, the Secretary of Agriculture, the Secretary of the Treasury, the Administrator of the Environmental Protection Agency, and the head of any other agency the President determines appropriate shall each propose, or issue a notice of intent to propose, regulations establishing each standard or other requirement listed in the action plan that is under the jurisdiction of the respective agency using authorities described in paragraph (2).

(2) AUTHORITIES.—The head of each agency described in paragraph (1) shall use to carry out this subsection—

(A) any authority in existence on the date of enactment of this Act (including regulations); and

(B) any new authority provided under this Act (including an amendment made by this Act).

(3) FINAL REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the head of each agency described in paragraph (1) shall promulgate final versions of the regulations required under this subsection.

(4) CONTENT OF REGULATIONS.—Each proposed and final regulation promulgated under this subsection shall—

(A) be sufficient to achieve at least the oil savings resulting from the regulation under the action plan published under subsection (a); and

(B) be accompanied by an analysis by the applicable agency demonstrating that the regulation will achieve the oil savings from the baseline determined under subsection (e).

(c) INITIAL EVALUATION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Director shall—

(A) publish in the Federal Register a Federal Government-wide analysis of—

(i) the oil savings achieved from the baseline established under subsection (e); and

(ii) the expected oil savings under the standards and requirements of this Act (and amendments made by this Act); and

(B) determine whether oil savings will meet the targets established under subsection (a).

(2) INSUFFICIENT OIL SAVINGS.—If the oil savings are less than the targets established under subsection (a), simultaneously with the analysis required under paragraph (1)—

(A) the Director shall publish a revised action plan that is sufficient to achieve the targets; and

(B) the head of each agency referred to in subsection (b)(1) shall propose new or revised regulations that are sufficient to achieve the targets under paragraphs (1), (2), and (3), respectively, of subsection (b).

(3) FINAL REGULATIONS.—Not later than 180 days after the date on which regulations are proposed under paragraph (2)(B), the head of each agency referred to in subsection (b)(1) shall promulgate final versions of those regulations that comply with subsection (b)(1).

(d) REVIEW AND UPDATE OF ACTION PLAN.—

(1) REVIEW.—Not later than January 1, 2011, and every 3 years thereafter, the Director shall submit to Congress, and publish, a report that—

(A) evaluates the progress achieved in implementing the oil savings targets established under subsection (a);

(B) analyzes the expected oil savings under the standards and requirements established under this Act and the amendments made by this Act; and

(C)(i) analyzes the potential to achieve oil savings that are in addition to the savings required by subsection (a); and

(ii) if the President determines that it is in the national interest, establishes a higher oil savings target for calendar year 2017 or any subsequent calendar year.

(2) INSUFFICIENT OIL SAVINGS.—If the oil savings are less than the targets established under subsection (a), simultaneously with the report required under paragraph (1)—

(A) the Director shall publish a revised action plan that is sufficient to achieve the targets; and

(B) the head of each agency referred to in subsection (b)(1) shall propose new or revised regulations that are sufficient to achieve the targets under paragraphs (1), (2), and (3), respectively, of subsection (b).

(3) FINAL REGULATIONS.—Not later than 180 days after the date on which regulations are proposed under paragraph (2)(B), the head of each agency referred to in subsection (b)(1) shall promulgate final versions of those regulations that comply with subsection (b)(1).

(e) BASELINE AND ANALYSIS REQUIREMENTS.—In performing the analyses and promulgating proposed or final regulations to establish standards and other requirements necessary to achieve the oil savings required by this section, the Secretary of Energy, the Secretary of Transportation, the Secretary of Defense, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and the head of any other agency the President determines to be appropriate shall—

(1) determine oil savings as the projected reduction in oil consumption from the baseline established by the reference case contained in the report of the Energy Information Administration entitled ''Annual Energy Outlook 2005'';

(2) determine the oil savings projections required on an annual basis for each of calendar years 2009 through 2026; and

(3) account for any overlap among the standards and other requirements to ensure that the projected oil savings from all the promulgated standards and requirements, taken together, are as accurate as practicable.

(f) NONREGULATORY MEASURES.—The action plan required under subsection (a) and the revised action plans required under subsections (c) and (d) shall include—

(1) a projection of the barrels of oil displaced by efficiency and sources of energy other than oil, including biofuels, electricity, and hydrogen; and

(2) a projection of the barrels of oil saved through enactment of this Act and the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.).

Mr. LIEBERMAN. Madam President, I ask unanimous consent that I be allowed to speak for not more than 7 minutes on this amendment and then Senator SALAZAR be allowed to speak for up to 7 minutes also.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Madam President, this is the amendment I spoke about during morning business. I am proud to cosponsor it with Senator SALAZAR, as well as Senators BAYH, BROWNBACK, COLEMAN, FEINSTEIN, LINCOLN, CANTWELL, KERRY, DODD, COLLINS, KOHL, and REED of Rhode Island. It is a broadly bipartisan group.

This amendment would replace section 251 in the underlying bill which is the topic of our interest today. Section 251 in the bill sets forth gasoline savings targets as part of our move to help make America energy independent. We instead would put in title I of the DRIVE Act, which many of us introduced earlier this year, which sets oil savings plan requirements that are more ambitious and appropriately so.

We all know America is a nation addicted to oil and that addiction is hurting us and our people in many ways. It is saddling consumers with high gas and oil and other fuel prices. It is compromising our foreign policy. It is diminishing the quality of our environment. It is leaving our economy and our very national security subject to political instability in faraway places and to the malicious whims of foreign leaders of oil-producing nations, such as Ahmadinejad of Iran and Chavez of Venezuela. The only real and permanent solution to this problem is to substantially reduce the amount of oil consumed by our transportation sector, which consumes virtually all the oil, certainly the greater part of it, we consume as a nation.

The underlying bill before the Senate, managed by the chairman and ranking member of the Energy Committee but containing parts that came out of the Commerce Committee, the Environment and Public Works Committee I am honored to serve on, under the leadership of Senator BOXER, is a very admirable and responsive piece of legislation, a real act of leadership by this Congress, a bipartisan act of leadership. This is an institution, after the problems we had last week with the immigration bill, that desperately needs to show the American people and ourselves we can work across party lines to get things done, to solve problems that are real and present every day in the lives of our citizens. There are few one could say that would be more true of that than the energy crisis and challenge.

The savings targets in section 251 of the underlying bill are expressed in terms of American gasoline consumption and reduction of it, not oil consumption. The problem is gasoline usage can be reduced by increasing the use of diesel, but diesel is also made from oil, and oil is the substance to which we are addicted, with all the negative consequences I have described. So reducing oil consumption, in the opinion of those of us who are sponsoring this amendment, should be the express goal of the Senate bill's transportation provisions because oil dependence is what hurts us, is what drains the budgets of America's families and businesses. It hurts our national economy. It compromises our environment and undermines the independence of our foreign policy. This amendment would make that crucial correction from goals reducing gasoline consumption in the underlying bill to goals reducing oil consumption.

The gasoline savings goal in H.R. 6 amounts to a 20-percent reduction in projected oil consumption by 2030, if we try to transfer it to oil. The oil savings requirement in this amendment would amount to a 35-percent reduction in projected oil consumption by 2030. That is significant and would go a long way toward solving the problems we have talked about. I believe there is broad bipartisan support in the Senate for these stronger targets. Indeed, the fuel economy and renewable fuels provisions already found elsewhere in H.R. 6 will themselves go a long way toward achieving the stronger targets.

The DRIVE Act, which is the earlier legislation 26 of us introduced, its title I comprises our amendment to H.R. 6. It would direct the executive branch to identify, within 9 months and then within 18 months, and to publish Federal requirements that will achieve the following real and significant goals: A consistent reduction in U.S. oil consumption by 2016, a 7-million-barrel-per-day reduction by 2026, and a 10 million barrel per-day reduction by 2031. Today we consume somewhat over 20 million barrels of oil per day. That would be significant to cut 10 million barrels off our oil consumption by 2031. The measure would also direct the Office of Management and Budget to publish an analysis identifying the oil savings projected to be achieved by each requirement to be created and demonstrating that the listed measures will, in the aggregate, achieve the overall specified oil savings. So we are setting goals, and we are asking the executive branch to come up with programs to show how existing statutory authority and regulatory authority they have can be used to achieve these goals which will make America much more energy independent or, in fact, to come back and say to us: We need more authority, some new statute to achieve these goals we have set.

The cosponsors of this amendment believe we need targets that will keep the pressure on our Government and on all of us to use the authorities Congress has provided to achieve the robust oil savings America and its people need. The DRIVE Act, which is the act from which this title I amendment is taken, has 26 cosponsors in the Senate, a broadly bipartisan group reflective of every section of the country and every ideology represented in the Congress. It shows there is a consensus of demand for change in savings in oil consumption. That is exactly what this amendment would do.

I urge my colleagues to adopt it overwhelmingly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Madam President, I first acknowledge my good friend from Connecticut for his good work on the DRIVE Act over the last several years. It is no coincidence that he and a number of bipartisan Senators have been leading the effort to make sure we set America free. In fact, the coalition that helped in writing the legislation Senator LIEBERMAN spoke about calls itself the Set America Free Coalition. It includes conservatives such as C. Boyden Gray and progressives such as former Senator Tim Wirth, who have come together and recognized that setting America free from our addiction to foreign oil is an imperative for the United States in the 21st century.

Similar to the good work that gets done in this Chamber, this is bipartisan legislation. This amendment also has the cosponsorship of Senators BROWNBACK, COLEMAN, LINCOLN, CANTWELL, KERRY, DODD, COLLINS, KOHL, and REED of Rhode Island, and others. It is a good amendment that reflects the bipartisan composition of this body.

Let me say why I believe this ambitious set of goals for the United States is important. It is irrefutable that today about 66 percent of the oil being used in America comes from abroad. Of the oil we are importing from those foreign countries, 41 percent of it comes from underneath the sands or lands of hostile regimes. So that national security implication is we need to get off the pipeline to those hostile regimes that today essentially allows them to fund the war on terror against the United States and the free world.

The legislation we have before us with this amendment reflects the American dream of a more energy-secure future, with fewer oil imports and a strong renewable energy economy here at home.

We need to set high goals for oil savings because we know we can, in fact, meet them if we set them high—in the same way we set high standards in the 1960s, when President Kennedy said we would be launching an initiative that would get a man to the moon within 10 years, and we were able to do that; in the same way President Roosevelt said we would be able to move forward and develop the Manhattan Project, and we were able to do so within 4 years.

That is the same kind of vision and the same kind of boldness we need to have with respect to oil savings in America today. The amendment we have brought before this body today—which is the embodiment of the oil savings provision of the DRIVE Act—in fact, has that kind of boldness, that kind of courage within it. I, therefore, strongly encourage my colleagues in the Senate to support the amendment we have brought before you.

Let me, once again, say this amendment is broadly supported by both Republicans and Democrats in the Senate. I hope it is one of those amendments that can be adopted by our Chamber.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 1515 TO AMENDMENT NO. 1502

(Purpose: To establish an energy efficiency and renewable energy worker training program)

Mr. SANDERS. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment which is at the desk and ask for its immediate consideration.

Mr. DOMENICI. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I would like to talk to the Senator. We are still on the amendment. What are you asking? That we set it aside for what purpose?

Mr. SANDERS. Madam President, I wish to offer an amendment to create a workforce for sustainable energy and energy efficiency. We are building on what was in the bill originally. We have boilerplate language.

Mr. DOMENICI. Madam President, parliamentary inquiry: We have set aside only one amendment to proceed with another thus far; that is, the amendment of the Senator from Oklahoma was set aside; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Madam President, now he is asking that be done again.

The PRESIDING OFFICER. That is also correct.

Mr. DOMENICI. Madam President, I ask the Senator, how long do you think you would be before we could return to the regular order?

Mr. SANDERS. Fifteen minutes or so.

Mr. DOMENICI. One-five?

Mr. SANDERS. Yes.

Mr. DOMENICI. I do not wish to restrict you. You talk long similar to myself. Would you rather have 20 or 25 minutes?

Mr. SANDERS. Madam President, 15 or 20. I think I can do it in 15.

Mr. DOMENICI. Twenty minutes is all right by me.

Mr. SANDERS. I thank the Senator.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

There being no objection, the pending amendment will be set aside and the clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself, Mrs. CLINTON, Mr. KERRY, and Mr. BIDEN, proposes an amendment numbered 1515 to amendment No. 1502.

Mr. SANDERS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. SANDERS. Let me thank my friend from New Mexico for the opportunity to go forward.

Madam President, I rise to offer an amendment on behalf of myself, Senator CLINTON, Senator KERRY, and Senator BIDEN.

Our amendment would strike section 277 of the Senate substitute, which is very broad language directing the Secretary of Labor to work with the Secretary of Energy to develop workforce training for the energy efficiency and renewable energy sectors, and replace it with a clearer directive regarding workforce development in those same areas.

Before I get too far along in the description of the amendment, I would like to thank Senators Bingaman and Domenici for including section 277 in the underlying bill. I think we all recognize the need to provide more workforce training in the areas of energy efficiency and renewable energy if we are to truly meet the challenge in front of us.

The amendment I offer today simply builds upon the language already included in the legislation we are considering, and so I hope it will receive the resounding support of this body. In other words, we had boilerplate language already in it, and we have built upon that. Up to this point, we have had strong bipartisan support.

This amendment would create a sustainable, comprehensive public program to provide quality training for jobs created through renewable energy and energy efficiency initiatives—an area of our economy that is in tremendous need of expansion to meet the demand for a skilled workforce in these sectors.

Fundamentally, the amendment would do two basic things: One, expand our Nation's capacity to identify and track the new jobs and skills associated with the growing clean energy technology sector; secondly, develop national and State training programs to address skill shortages that have already begun to impair the expansion of clean energy and efficiency technologies.

More specifically, the amendment would authorize funding for national and State research on labor market trends in the energy efficiency and renewable energy sectors. Additionally, the amendment would provide competitive grants for national and State

training programs in the renewable energy and energy efficiency areas.

Entities eligible for grants are nonprofit partnerships that include equal participation of industry and labor groups, and there is explicit encouragement for the development of partnerships with other organizations such as community-based organizations, educational institutions, small businesses, cooperatives, State and local veterans agencies, and veterans service organizations.

Some of the target populations for the training programs include those who are veterans of the Armed Forces, those affected by national energy or environmental policies, those displaced by economic globalization, and those seeking pathways out of poverty and into economic self-sufficiency. The eligible industries include the energy-efficient building, construction, and retrofits industry; the renewable electric power industry; the energy-efficient and advanced drive train vehicle industry; the biofuels industry; and the deconstruction and materials use industries.

Some may ask whether we even have reason to believe we need training to increase the number of workers skilled in the areas targeted by this amendment. The answer is a resounding yes. We know the lack of trained workers is a significant barrier to the growth of the renewable and energy efficiency industries.

A 2006 study from the National Renewable Energy Lab identified the shortage of skills and training as a leading nontechnical barrier to renewable energy and energy efficiency growth. This same study identified a number of critical unmet training needs, including lack of reliable installation, maintenance, and inspection services, the shortage of key technical and manufacturing skills, and failure of the educational system to provide adequate training in new technologies.

All of those issues are addressed in this amendment. I can tell you from talking to the people on the ground, there is a real shortage of trained workers in these areas. In Vermont, if a family wants to retrofit and weatherize their home, it could take a very long time to make it happen because there are simply not enough workers out there trained to do the work. The same thing goes for installation of solar panels or wind turbines.

The widespread adoption of these technologies is being stopped in its tracks because we simply do not have enough people to do the jobs. But instead of talking about a study or listening to my experience from Vermont, let me actually offer testimonials from some of those who are most familiar with the need for the workforce development concepts I am proposing.

Let me quote Tim Michels, from Energy Solutions, Incorporated, from St. Louis, MO:

We have been saving energy for institutions for over 30 years. We typically find that we can reduce energy use 25+ percent with less than a 4 year payback, so it is very economical and we have lots of case studies to prove it. The limiting factor to our growth as an industry is lack of qualified professionals to perform the analyses.

That is what we are trying to do: find the workers to do those types of efforts.

Lisa Mortensen, the CEO of Community Fuels, of Encinitas, CA, states:

Currently, we are constructing a 7.5 million gallon per year biodiesel plant at Port of Stockton, California. As a renewable energy start-up we have an intimate understanding of the need for a high quality workforce. Skills in mechanical operations, industrial hygiene and safety, quality control and a wider understanding of energy production are essential to a quality workforce. These skills are not easily learned. With funding opportunities like the one proposed, our company could work with local training institutions to help develop a workforce prepared for the changing U.S. landscape.

Christopher O'Brien, vice president for strategy & government relations, Sharp Electronics Corporation, of Mayway, NJ, writes:

Sharp Corporation is the world's leading producer of solar photovoltaic equipment and has been the No. 1 producer since 2000. Sharp's solar manufacturing plant in Memphis is the largest solar panel manufacturing facility in the U.S., with annual production capacity of 64 Megawatts, comprised of almost 400,000 solar panels. The 200 solar production workers in Memphis are represented by IBEW Local 474. Sharp supports the proposal for increased Federal funding for worker training in solar and other renewable energy and energy efficiency industries. . . . We have since 2003 trained and certified over 1,681 workers. Additional Federal funding support would help to accelerate the pace of this training and would assure Sharp and other solar manufacturers that there will be a reliable and professionally trained pool of workers to deliver and install solar energy systems on customers' homes and commercial buildings. . . .

Those are a few—just a few—of the testimonials that have come across my desk as I have worked on this amendment, but I do think they do a good job of making this issue real for those of us in the Senate.

Now, my colleagues may wonder why we need a specific program for training in energy efficiency and renewables. The answer is simple: While the renewable energy and energy efficiency industries use many skills that can be transferred from other industries, specific, additional skills are often needed to take maximum advantage of the newer energy technologies.

For instance, investments in training of building maintenance workers and building superintendents and engineers can improve the operation of today's heating and cooling systems by as much as 10 percent in large public and commercial buildings, according to the National Association of Energy Services Companies. Such training could save millions of dollars per year in energy costs in larger public or commercial buildings, not to mention reduce the emission of pollutants that add to global warming. Let me quote from two business leaders about the need for specific training in these areas.

Erik Larson, from Indie Energy, of Evanston, IL:

We are the first company in the Chicago area to develop geothermal systems for commercial and residential developments using in-house vertical drilling. . . . We recognized right away that the skill sets required for a geothermal operation were not available in current labor markets.

Robert de Grasse, senior vice president of technical standards, AIMCO—America's largest owner of apartment complexes—of Denver, CO, writes:

I personally support the Energy Efficiency and Renewable Energy Worker Training Program. AIMCO is expecting that properly trained maintenance technicians will have significant and measurable benefits; in particular with HVAC systems and electric motors. Energy User News described the energy and financial savings on HVAC for community colleges in California was estimated from 6 percent to 19 percent of a typical community college's energy bill; a direct result of technical training.

There is no doubt in my mind this amendment could make a tremendous difference in our ability to implement concrete, on-the-ground strategies that help to address our energy challenges. Ensuring we have a workforce trained in the skills needed to implement bold energy efficiency and renewable energy policies will go a long way.

Before I yield the floor, I would like to read the long list of some of the organizations that support the Sanders-Clinton-Kerry-Biden amendment, and I ask unanimous consent that letters from the following groups be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NAESCO,
Washington, DC, June 7, 2007.

Re business leaders urge vote for Sanders-Clinton amendment to promote workforce training for a new energy economy.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: As a business association representing leading companies working to build a new clean energy economy, we strongly urge you to vote ''yes'' on an amendment to the Energy Savings Act of 2007 (SB 1321) that will be vital to our nation's energy security and to the fight against global warming. Offered by Senators Sanders and Clinton, the Amendment would establish an Energy Efficiency and Renewable Energy Workforce Training Program at the Department of Labor to ensure our country trains the workforce needed to ensure continued robust growth of a new, clean energy industry.

NAESCO's current membership of about 85 organizations includes firms involved in the design, manufacture, financing and installation of energy efficiency and renewable energy equipment and the provision of energy efficiency and renewable energy services in the private and public sectors. NAESCO members deliver about $4 billion of energy efficiency projects each year. NAESCO numbers among its members some of the most prominent companies in the world in the HVAC and energy control equipment business, including Honeywell, Johnson Controls, Siemens, Trane and TAC/Tour Andover. Our members also include many of the nation's largest utilities: Pacific Gas & Electric, Southern California Edison, New York Power

Authority, and TU Electric & Gas. In addition, ESCO members include affiliates of ConEdison, Pepco Energy Services, Constellation, PP&L, DMJM Harris and Direct Energy. Prominent national and regional independent members include Custom Energy, NORESCO, Onsite Energy, EnergySolve, Ameresco, UCONS, Chevron Energy Solutions, Synergy Companies, Wendel Energy Services, WESCO and Energy Systems Group. NAESCO member companies have been delivering energy efficiency projects to residential, commercial, institutional and industrial customers across the country for the past twenty years.

The companies we represent are developing and deploying a wide range of innovative clean energy technologies, utilizing domestic biomass, wind, solar energy, geothermal power, fuel cells, energy efficient technologies and services, and much, much more. By 2025, these technologies could provide electric power equal to half of all the electricity that our country uses today. By 2030, our industries could replace 30% to 40% of the petroleum our country now imports. By doing so, our industries could make a significant contribution to curbing global warming pollution, enhancing our nation's energy security, and creating up to 5 million new jobs by 2025.

However, to achieve these goals, we must find enough qualified, trained people to design, manufacture, install, operate, and maintain a host of innovative renewable energy and energy efficient technologies. Across the country, our companies experience workforce shortages as one of the key barriers to growth. Indeed, a recent literature review from the National Renewable Energy Lab (NREL) identified the shortage of skills and training as a leading non-technical barrier to renewable energy and energy efficiency growth.

We believe that the $100 million dollars authorized by the Sanders-Clinton Amendment is urgently needed to develop national and state skill training programs that will prepare workers technically for our emerging industries, as well as to analyze market trends and demonstrate best practices. While the renewable energy and energy efficiency industries use many skills that can be transferred from other sectors, in many other cases, our companies require specific, new skills to take maximum advantage of the newer energy technologies. By establishing a pilot program specifically geared toward the renewable energy and efficiency industries, the Sanders-Clinton Amendment would enable us to build the workforce our industries need to achieve their maximum potential.

Our companies stand ready to help our country with new energy technologies that will make us all more secure, curb the threat of global warming, and create economic opportunity for millions of working Americans. We urge you to vote ''yes'' on the Clinton-Sanders Amendment as a crucial step toward achieving these vital objectives.

Sincerely,

DONALD D. GILLIGAN,
President.

CENTER FOR AMERICAN PROGRESS ACTION FUND,
Washington, DC, June 9, 2007.

Senator BERNARD SANDERS,
U.S. Senate, Dirksen Senate Office Bldg., Washington, DC.

Senator HILLARY CLINTON,
U.S. Senate, Russell Senate Office Bldg., Washington, DC.

DEAR SENATORS SANDERS AND CLINTON: I write to express my strong support for the proposed Sanders-Clinton Energy Efficiency and Renewable Energy Worker Training Program that will be offered as an amendment to the upcoming energy bill, and to encourage other Senators to join in support of this provision as co-sponsors. This is a critically important energy and jobs measure that will help to ensure both America's future energy and economic security.

As our nation confronts the twin challenges of our escalating energy dependence and a mounting climate crisis, we are presented by a remarkable opportunity to meet these pressing demands with new more efficient and ever cleaner sources of energy. This ''energy opportunity'' represents a chance to rebuild our communities, to better train our workers, and to reinvest in the basic infrastructure of the nation. This amendment takes a significant step forward in meeting the practical need to ensure that American firms and workers have the cutting edge skills to participate in the growing market for clean and efficient energy, and to capture the jobs of the future.

Even as wind and solar energy experience explosive annual growth rates, the utility industry is facing retirement of half its workers within the decade, while the National Renewable Energy Lab has identified a shortage of skilled workers as a major barrier to deployment of renewable and efficient energy. This amendment strategically invests $100,000,000 dollars into a more robust labor market and skills training that will prepare up to 30,000 workers to jump start these booming industries that America invented. This is a smart investment in a safer, more prosperous, and more competitive U.S. economy.

By enhancing the workforce investment system, and working with state governments, non-profit community groups, and both labor and management, this amendment offers an efficient path forward for the American economy. Targeting workers displaced by shifting energy policies, enhanced skills for returning veterans, pathways out of poverty for those most in need of work, and a reliable labor market for both small business and heavy industry represents a sound investment in the future. This amendment will help build a state of the art economy and expand markets for renewable energy, good jobs in construction and building trades, and job security for the U.S. auto industry. Thank you for your leadership on this issue. The Center for American Progress Action Fund salutes your vision, and offers its full support for this important measure.

Sincerely,

JOHN D. PODESTA,
President and CEO.

JUNE 11, 2007.

Re support the Sanders-Clinton amendment on worker training for the clean energy economy.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: As representatives of the environmental, energy efficiency, and clean energy advocacy communities, we urge you to vote for an amendment to the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007 (S. 1419) that will train working Americans for high-skilled jobs in the emerging, clean energy economy. Sponsored by Senators Sanders and Clinton, the amendment would create an Energy Efficiency and Renewable Energy Workforce Training Program at the Department of Labor to train workers in the skills our country needs to make the most of new investments in clean, renewable energy and energy-saving technologies.

As Congress advances programs to enhance our energy security and address global warming, workforce shortages have emerged as one of the top barriers to the new energy economy. Indeed, a 2006 study from the National Renewable Energy Lab identified a shortage of skills and training as a leading barrier to renewable energy and energy efficiency growth.

The program established by the Sanders-Clinton Amendment would help ensure that our nation develops the best models for training workers in the new skills required to properly manufacture, install, maintain, and operate clean energy technologies. Grant funding under the program could, for instance, train wind-industry workers in such new skills as turbine siting, airfoil repair, and weather patterns that affect turbine performance. Investments in training of building maintenance workers, superintendents, and engineers could improve the operations of sophisticated heating and cooling systems by as much as 10 percent, saving millions in energy costs each year in large public, industrial, or commercial buildings.

Of crucial importance, the Sanders-Clinton amendment provides working Americans with a clear pathway to earn a family-supporting livelihood in the emerging, new energy economy. We enthusiastically embrace this amendment for signaling that America is, at last, ready to replace the old debate of ''jobs vs. the environment'' by investing in ''jobs for the environment.''

Thank you for considering our request to co-sponsor this vital amendment. If you have any questions about this legislation, please feel free to contact Jessica Maher in Sen. Sanders' office.

Sincerely,

KATERI CALLAHAN,
President, Alliance to Save Energy.

BILL PRINDLE,
Acting Executive Director, American Council for an Energy-Efficient Economy.

DAVID ZWICK,
President, Clean Water Action.

VAWTER PARKER,
Executive Director, Earthjustice.

FRANCES BEINECKE,
President, Natural Resources Defense Council.

JOAN CLAYBROOK,
President, Public Citizen.

CARL POPE,
Executive Director, Sierra Club

KEVIN KNOBLOCH,
President, Union of Concerned Scientists.

JUNE 11, 2007.

Re business leaders urge vote for Sanders-Clinton amendment to promote workforce training for a new energy economy.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: As business associations representing hundreds of leading companies working to build a new clean energy economy, we strongly urge you to vote ''yes'' on an amendment to the Energy Savings Act of 2007 (SB 1321) that will be vital to our nation's energy security and to the fight against global warming. Offered by Senators Sanders and Clinton, the Amendment would establish an Energy Efficiency and Renewable Energy Workforce Training Program at the Department of Labor to ensure our country trains the workforce needed to ensure continued robust growth of a new, clean energy industry.

The companies we represent are developing and deploying a wide range of innovative clean energy technologies, utilizing domestic biomass, wind, solar energy, geothermal power, fuel cells, energy efficient technologies and services, and much, much more. By 2025, these technologies could provide electric power equal to half of all the electricity that our country uses today. By 2030, our industries could replace 30% to 40% of the petroleum our country now imports. By doing so, our industries could make a significant contribution to curbing global warming pollution, enhancing our nation's energy security, and creating up to 5 million new jobs by 2025.

However, to achieve these goals, we must find enough qualified, trained people to design, manufacture, install, operate, and maintain a host of innovative renewable energy and energy efficient technologies. Across the country, our companies experience workforce shortages as one of the key barriers to growth. Indeed, a recent literature review from the National Renewable Energy Lab (NREL) identified the shortage of skills and training as a leading non-technical barrier to renewable energy and energy efficiency growth.

We believe that the $100 million dollars authorized by the Sanders-Clinton Amendment is urgently needed to develop national and state skill training programs that will prepare workers for our emerging industries, analyze market trends, and demonstrate best practices. While the renewable energy and energy efficiency industries use many skills that can be transferred from other sectors, in many other cases, our companies require specific, new skills to take maximum advantage of the newer energy technologies. By establishing a pilot program specifically geared toward the renewable energy and efficiency industries, the Sanders-Clinton Amendment would enable us to build the workforce our industries need to achieve their maximum potential.

Our companies stand ready to help our country with new energy technologies that will make us all more secure, curb the threat of global warming, and create economic opportunity for millions of working Americans. We urge you to vote ''yes'' on the Clinton-Sanders Amendment as a crucial step toward achieving these vital objectives.

Sincerely,

BRADLEY D. COLLINS,
Executive Director, American Solar Energy Society.
RANDALL SWISHER,
President, American Wind Energy Association.
DONALD GILLIGAN,
President, National Association of Energy Service Companies.
ROBERT DINNEEN,
President Renewable Fuels Association.
RHONE RESCH,
President, Solar Energy Industries Association.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, DC, June 5, 2007.

DEAR SENATOR: I am writing to request your support for an amendment to be offered by Sen. Sanders to S. 1419 the ''Energy Savings Act of 2007.''

The Sanders amendment would establish the Energy Efficiency and Renewable Energy Worker Training Program to train workers for good-paying jobs in clean energy design, manufacturing, installation, construction, operation, and maintenance. This program would help U.S. workers get good jobs in an industry expected to experience rapid growth as our nation refits and rebuilds its energy infrastructure, and would help the U.S. economy take advantage of emerging environmental technologies.

To ensure that the benefits from new investments in our national energy infrastructure are distributed equitably, the Sanders amendment would give priority to partnerships that train veterans, workers displaced by globalization or environmental policies, and disadvantaged workers and communities. In addition, to allow for the delivery of training unique to specialized geographic and industry needs, the Sanders amendment balances grants between national, regional, and state workforce development programs.

As Congress considers legislation designed to reduce our country's reliance on foreign sources of fossil fuels, we believe it should also invest in the domestic workforce. American workers should have every opportunity to acquire the skills necessary for job opportunities that will be created by new investments in energy efficiency and renewable energy industries.

The AFL–CIO strongly urges you to support and cosponsor the Sanders amendment. To become a cosponsor, please call Jessica Maher in Sen. Sanders' office. If you have any other questions or need any further information, please contact David Mallino in the AFL–CIO's Department of Legislation.

Sincerely,

WILLIAM SAMUEL,
Director, Department of Legislation.

JUNE 5, 2007.

Re co-sponsor the Sanders-Clinton amendment on workforce development for the new energy economy

U.S. SENATE,
Washington, DC.

DEAR SENATOR: I write to urge you to cosponsor an amendment that Senators Sanders and Clinton will offer during the upcoming debate on S. 1419, the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007, that would help America develop the specialized workforce skills needed to ensure robust growth of the renewable energy and energy efficiency industries. The Sanders-Clinton Amendment would establish an Energy Efficiency and Renewable Energy Workforce Training Program to be administered by the Department of Labor (DOL) in coordination with the Department of Energy.

The purpose of this initiative is twofold—to expand our nation's capacity to identify and track the new jobs and skills associated with the growing energy technology sector and to develop national and state skill training programs that will demonstrate best practices in addressing skill shortages that have already begun to impair the expansion of energy technologies that are crucial to national security, economic competitiveness, and curbing global warming.

Industries eligible for training services under the program would include: energy-efficient building, construction, and retrofits; renewable electric power; advanced automotive drive trains; advanced bio-fuels; and the deconstruction and materials use industries.

As Congress advances programs to enhance our energy security and address global warming, workforce shortages are emerging in the utilities sector that could stymie growth of the renewable energy and efficiency industries. According to the American Public Power Association, half of current utility workers will retire within the next decade. However, our nation is not training enough new workers to fill their places. For instance, the number of high school graduates with technical training has declined by 35 percent over the last decade.

Already, the renewable and energy efficiency industries are feeling the pinch. A 2006 study from the National Renewable Energy Lab (NREL) identified the shortage of skills and training as a leading non-technical barrier to renewable energy and energy efficiency growth. In particular, the NREL study identified a number of critical unmet training needs, including lack of reliable installation, maintenance, and inspection services, the shortage of key technical and manufacturing skills, and failure of the educational system to provide adequate training in new technologies.

Leading companies in the renewable energy and efficiency sector experience lack of skilled workers as a key business constraint. According to Steve Cowell, CEO and Chairman, of Conservation Services Group (CSG), a leading provider of building efficiency and renewable energy services, ''the growth of the industry is constrained by the challenges of finding experienced, trained people. . . . CSG has identified this issue as our . . . industry's most significant constraint on growth.''

The program established by the Sanders-Clinton Amendment would help ensure that our nation has the best models for training workers in the many new skills required to properly manufacture, install, maintain, and operate clean energy technologies. For instance, grant funding provided under the amendment could train workers in such substantial new skills as wind turbine siting, airfoils and composite repair, and weather patterns that affect turbine performance.

While the renewable energy and energy efficiency industries use many skills that can be transferred from other industries, specific, targeted skill enhancements are often needed to take maximum advantage of the newer energy technologies. For instance, investments in training of building maintenance workers and building superintendents and engineers can improve the operations of today's sophisticated heating and cooling systems by as much as 10 percent in large public and commercial buildings, according to the National Association of Energy Services Companies. Such training could save millions of dollars per year in energy costs in larger public or commercial buildings.

The Sanders-Clinton amendment is unique among many of the new energy polices that Congress will consider for providing a pathway for working Americans to earn a family-supporting livelihood in our new energy economy. This Amendment honors the sacrifice of our veterans by including them among groups targeted for training. In addition, the Amendment helps to tap the full range of our nation's human capital by offering training opportunities to those displaced by national energy and environmental policy, economic globalization, individuals seeking pathways out of poverty, formerly incarcerated, adjudicated and non-violent offenders who seek to play a constructive role in society, and incumbent workers in the energy field needing to update their skills.

The $100 million authorized by the Sanders-Clinton Amendment is needed to implement programs of sufficient size and scale to achieve the dual goals described previously—enhanced labor market information as well as national and state demonstration training programs. The Amendment would authorize up to $40 million in grants on a competitive basis under a National Training Partnerships program and up to $40 million in grants to states to implement labor exchange and

training programs. Preference would be given to states that show leadership in promoting renewable energy, energy efficiency, and the reduction of greenhouse gas emissions. Eligible entities would include nonprofit organizations that are composed of partnerships between industry and labor, taking advantage of established programs in order to ensure the highest-quality training possible. The Sanders-Clinton amendment also provides funding for national and State industry-wide research, labor market information, and labor exchange programs.

Using the average costs of attending a community college, we estimate that funding would be sufficient to train between 20,000 and 30,000 workers per year. These numbers represent just a small fraction of the 3 million workers that would be needed, according to our own estimates, if the country launched an ambitious ten-year Apollo-like effort to build a new energy future. However, we believe it is prudent to begin with a pilot program on the scale proposed by Senator Sanders to ensure we fully understand the kinds of training needed and future workforce trends before investing in a larger effort.

Worker training, we believe, will be crucial to the wider market penetration of innovative renewable energy and energy efficient technologies. With passage of the Sanders-Clinton Amendment, businesses can, for instance, have greater confidence that an expensive solar array or geothermal heat pump will be properly installed, reducing the perceived risks of investing in relatively unfamiliar technologies. As skills improve, costs will come down. That will, in turn, pave the way toward making renewables and efficiency a core component of our country's energy mix.

Thank you for considering our request to co-sponsor this vital amendment. If you have any questions about this legislation, please feel free to contact Jessica Maher in Senator Sanders' office or Dan Seligman, Apollo's National Campaign Director.

Sincerely,

JEROME RINGO,
President, Apollo Alliance.

Mr. SANDERS. Some of those groups are the Apollo Alliance; the Renewable Fuels Association; Wider Opportunities for Women; the Union of Concerned Scientists; the AFL–CIO; the National Association of Energy Service Companies, which includes many businesses and utilities that we all have heard of—Honeywell, Johnson Controls, Trane, and Pacific Gas & Electric, to name a few—the Sierra Club; the Alliance to Save Energy; the Solar Energy Industries Association; Clean Water Action; the American Wind Energy Association; Earthjustice; the American Solar Energy Society; the American Council for an Energy-Efficient Economy; Public Citizen; the Center for American Progress Action Fund; and the Natural Resources Defense Council.

To conclude, this amendment has widespread support from the business community and from organized labor. It has support from the environmental community. What it says is if we are going to go forward in a bold way, breaking our dependence on fossil fuels, moving to energy efficiency, moving to sustainable energy, we are going to need a skilled workforce to help us move in that direction. I have always believed as we move to sustainable energy and energy efficiency, we have the capability of creating millions of new, good-paying jobs. This amendment is terribly important if, in fact, we are going to be able to do that.

I yield the floor and ask for support of this amendment.

Mr. BINGAMAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Madam President, I have conferred with my colleague and we are willing to accept the amendment offered by the Senator from Vermont, the one he presented to the Members, the one that is currently pending. Perhaps my colleague wants to speak to that.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, we have reviewed the amendment, and actually we have similar activity already prescribed for in the bill. This modifies some, changes some, adds in other places, but all of it is authorizing to the extent that it expands—it is pretty much the kind of thing the bill contemplated. So we have no objection on our side.

Mr. BINGAMAN. Madam President, I appreciate those comments, and the Senator from California who chairs the Environment and Public Works Committee indicates it is acceptable to her committee as well. So at this point, I think the Senate is ready to vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1515) was agreed to.

Mr. BINGAMAN. Madam President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President and fellow Senators, I need now to bother you with a few minutes of time, because some very good Senators have come to the floor to speak in favor of a proposal that was brought to the floor by the distinguished Senator from Connecticut, and he was joined by the Senator from Colorado, Mr. SALAZAR. Between the two, they mentioned and enumerated a number of Senators who favored this—good Senators here who favor this proposal that was brought to the Senate's attention, as it was a free-standing amendment that has been floating around the Senate for quite some time as something that maybe we should consider. Now, it sounds good. Senators who spoke about it spoke eloquently about it, but I would suggest that maybe, just maybe, these goals in this amendment were necessary yesterday—maybe yesterday, Senator BINGAMAN—I am not sure, but maybe.

But I encourage my colleagues to look to the underlying bill and compare it to the goals that are set forth in that amendment. We don't need the goals, because we have already—the amendment they offer sets goals and then directs the administration to figure out how to get where they are supposed to go. I think that is sort of like outsourcing. That is outsourcing of the legislature duties and responsibilities to the executive, and then praising the bill because it tells the executive they have to reach these goals and save all of this oil. Well, if it were that easy, ever since we found out we were greatly dependent upon foreign oil, it would have been a cinch. There would have been nothing to it. We could have come to the floor and said we have an answer.

We want a dream. We want a dream, and the dream is a two-sentence bill that says the executive branch of Government shall have OMB proceed to direct goals that will get us to the point where we are no longer dependent. What a dream they could say that is. I am kind of paraphrasing my wonderful friend from Colorado who talked about the dream, that this was a dream to achieve big things. But you see, this is merely saying to the executive branch: You do what we ought to do, and when you do it, or if you do it, we are going to take credit today, because we told you to get OMB, the Office of Management and Budget, or somebody in your branch of the Government, to set the goals and then tell us how to do it, and then do it.

Let me get back to why we don't need it, if we ever needed it. I would have made this same argument in any event, but I want to say yesterday it was a little more relevant. My colleagues understand we have a bill before us, and we the Congress set goals on gasoline savings and then we set the policies that will attain the goals. They are tough, hard goals. They are not saying to the President: You reach these goals. We reach the goals. In fact, we will vote on this bill and when we do, if we do, and if we have enough courage, we will be voting on changing the automobile standards in a big way. For the first time in decades, we will have changed the standards for automobiles, for new automobiles, and made the automobile manufacturers make cars every year less dependent, more efficient so they use less gasoline.

But we don't say: Executive branch, You do it. Set the goals. And aren't we happy we dreamed big and we said to you, you set the goals for CAFE standards. We didn't say that. We said: Here, we changed them. And if anybody wants to vote to change the CAFE standards, they are already changed in this bill. If you want to change the CAFE standards and save a huge number of barrels, since they are talking

about barrels, a huge number of barrels of crude oil, because all the gasoline for the most part comes from that, you will achieve those savings by voting for this bill. You don't have to vote for an amendment that says to the President: You set the goals, Mr. President, and then you achieve them. And, boy, when that gets done, we will have made a real dream come true.

Now, I figure we should stop dreaming. We dreamed so much on energy and we have been working so hard that today, for the first time in the transportation section, the section of our law that is transportation oriented, we took one big bite out of the use of transportation fuel, and we did not need the amendment I am opposing that was brought here today and that the distinguished Senators from Colorado and Connecticut and others spoke in favor of. We don't need it anymore, because we don't need anybody else setting the goals. We achieved the goals ourselves right in the bill.

In 1972, President Nixon set the goal of being energy independent by 1980. We were about 30 percent dependent on foreign oil at that time. Today, unfortunately, we are 60 percent reliant upon foreign oil. That tells me goals are not enough. We need action. Interestingly enough, this bill that they offer an amendment to is the action. It is the action per se. We have not had any action that makes us less reliant, substantially less reliant, as does this bill. By adoption of the changes in the laws that apply to new cars, we have dramatically reduced what Americans are going to spend on gasoline and diesel fuel in the forthcoming years because we have changed the law and have caused that to happen in a very good way. But we haven't asked anybody to do it for us. We haven't said: Mr. President, would you find in your administration somebody who could set these goals and achieve them? Boy, we have told you how to do it. We have set them very high so we can go home and tell the American people how high we have set the goals and how much we achieved. But we did nothing in the amendment. We did nothing; we just asked the White House to do it.

I know a lot of people have endorsed a bill that does this, that has these goals that asks the President to ask the OMB to achieve the goals, and we have everybody on it. We have people in ordinary life who are great citizens. We have former Senators, former members of White House staff. They all joined this bill. But the bill was nothing more than a set of goals, and it said the White House should go out and achieve them. It was sort of saying: We would like to be President, but we are not. Since we are not, we are going to adopt this amendment and it is going to tell the President that is what he ought to do. But I say that once again, the amendment, which I am going to call the Salazar amendment for a moment, would require the administration to develop a plan to reduce oil consumption by 2.5 million barrels of oil per day during the calendar year 2016, ramping up to 10 million barrels per day during calendar year 2031. But the bill we are considering already includes an ambitious gasoline savings goal. It goes on to achieve the goal. The bill itself achieves the goal by changing the law. Senators are going to be voting—not the President—to get it done. The bill we are considering already includes ambitious savings. The bill sets gasoline savings at 20 percent by calendar year 2017, 35 percent by calendar year 2025, and 45 percent by calendar year 2030.

Now, we did not ask the President to ask staff to come up with a goal and then today brag on the goal because the President is going to do it. What we did in this bill is we adopted these goals and then changed the law to achieve them.

As you know, we changed the law to achieve the savings, by changing the law on new automobiles and other things in this bill. These goals are consistent with what the President articulated in the State of the Union Address. But we didn't wait around to see how he was going to do it and let him call the shots and then brag that he set the goals. We did it ourselves. The President's Twenty in Ten Initiative calls for a reduction in gasoline usage by 20 percent in 10 years, or by 2017.

This bill not only includes these gasoline savings goals but establishes the programs that will put us on track to meet them. In particular, the bill includes an ambitious renewable fuel standard that will displace foreign oil with homegrown renewable fuel.

I urge my colleagues to oppose the amendment. Then we set the policies that attain the goals we are trying to achieve. Outsourcing our authority—we outsource it to the White House in the amendment that was put before us—Senator LIEBERMAN first brought it up. I don't know who takes credit as its author. Perhaps it is the distinguished Senator from Colorado, Mr. SALAZAR, but we all know which three or four Senators first came up with it.

I wish to talk for a moment about this. On the biofuels part of the bill, we save 2.5 million barrels per day by 2017—I have converted some of this to barrels so they won't wonder what we are doing—4.5 million barrels per day by 2025, and 6.5 million barrels per day by 2030. This is just the renewable fuels section. If we add the CAFE standards from the bill, we probably will exceed these goals in practice by passing this bill.

This amendment is unnecessary. The amendment offered by Senator SALAZAR and others here today is unnecessary because we, as a matter of fact, already adopted law changes. We will be the ones who were courageous and did the work. We are not going to just set goals and put numbers there and say, now we have done our job, and say to the President, you go do it, and then come to the Senate and say, won't it be great. We set these goals, and the President will do it.

I don't believe that is the way we are going to do that. If that was the way we were going to do it—I told you about Richard Nixon and how far we were already substantially indebted to the world, 20 percent dependent. We were all trying to get a balanced budget in terms of the energy consumption. He wanted to have a zero difference. He wanted to make everything work, where we didn't have any excess use of oil, and he announced that. But, you see, he was President. He could have done whatever he wanted that was legal. He must have found that the President cannot do it. He didn't achieve it. The Congress tried but could not achieve it with him, and nobody could do it very easily.

We have been doing very well when you consider what we did in the bill we passed 2 years ago, the Energy bill, plus the two things which are in this bill which are gigantic, the likes of which we have never done—the CAFE change, which is giant. You heard the effects from Senator FEINSTEIN. That is not set in stone. That is adopting the changes in CAFE standards, big changes. And then we did the dramatic thing the President recommended in terms of moving ahead with ethanol and beyond ethanol to the kind of cellulosic ethanol, which is going to be truly a magnificent substitute for the oil we are using. But we are not setting a goal; we are going to do it. The bill will do it. By the time we are finished, the bill will achieve almost as much as the Salazar amendment requested in goals.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Madam President, I want to get it clear in the RECORD who this amendment belongs to. It was introduced by Senator BAYH some time ago. It had as sponsors Senators BROWNBACK, LIEBERMAN, COLEMAN, SALAZAR, CANTWELL, KERRY, DODD, and KOHL. The amendment was also proposed by Senator REID. I now have it straight that these were the Senators on this amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COLEMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COLEMAN. Madam President, I rise today to speak in favor of the Bayh amendment No. 1508 that is rooted in one of the most basic responsibilities we have as Members of this body,

and that is to preserve the security of the American people. For over a year, I have been working with a bipartisan group of Senators, including Senator BAYH, Senator LIEBERMAN, Senator BROWNBACK, and Senator SALAZAR, on a plan that will create oil savings for this Nation.

By the way, the bill before us does that. Senator DOMENICI is right. Congress needs to do the hard work, there is no question about that. This bill has already been strengthened, and there have been provisions with CAFE that will add to the strength of this bill.

The approach we are offering is a more aggressive approach than the savings target in the bill. It is a more aggressive approach than CAFE or other oil savings that we see.

We offer this amendment today to replace the gasoline savings goal in H.R. 6, the underlying legislation we are now considering, with title I of what we call the DRIVE Act, which we have offered as an amendment. It would direct the executive branch of our Government to identify within 9 months and to publish within 18 months Federal requirements that will achieve a 2.5-million-barrel-per-day reduction of U.S. oil consumption by 2016, which is the amount of oil that we currently import from the Middle East. The amendment goes on to achieve a 7-million-barrel-per-day reduction by 2026, and a 10-million-barrel-per-day reduction by 2031. That is about 50 percent of the per-day oil consumption in the United States today.

The amendment would also direct the Office of Management and Budget to publish an analysis to ensure the Government's action plan will achieve the oil savings targets, and the amendment will hold the Government accountable by including specific requirements to the executive branch to evaluate, review, and update the plan.

The question that is probably on the minds of most Americans is, Can we do this? Is America up to the challenge? Can we summon the leadership and resources for a task of this magnitude? The simple answer for us as Americans is: We can because we must.

The handwriting is on the wall. Failure to address our energy dependence will mean a future for our kids which is less prosperous, less safe, and less free.

We should be motivated not by fear, however. We need to dream of the better America we can build.

This bill before us does that. It moves us in that direction. This amendment moves us more aggressively in that direction. It makes sure the Federal Government has all the tools at its disposal, the tools that the underlying text provides.

The American people will make it possible. For every voice of concern I hear about foreign oil dependence, I hear about another instance of Americans' innovative spirit. All I have to do is look at my home State of Minnesota where entrepreneurs are inventing new renewable fuel processes, hydraulic-powered vehicles, new revolutionary energy-saving technologies, the list goes on and on.

The DRIVE Act, upon which this amendment is based, includes a blueprint of a plan for oil independence that centers on three principles: energy conservation, vehicle technology, and renewable fuels. H.R. 6, the underlying text, has included many components of our plan, and, again, I give great credit to both the chairman of the committee, Senator BINGAMAN, and the ranking member, my friend, Senator DOMENICI, for the work they have done and all that they have pulled together to help America lessen its dependence on foreign oil. We need an oil savings target that is bold. We need one that will hold Government accountable to achieving cuts to our foreign oil dependence.

We have the tools, but now we need the leadership. We need to give the leadership direction, and that is what this amendment does. This amendment would express that leadership in terms of what we think is a more relevant standard, one that focuses on our problem—oil consumption. The underlying bill will reduce gasoline use, but it is possible it could result in an increase in diesel which is, of course, made from oil. So our amendment, which is based on oil reduction, is, in our opinion, the more appropriate goal for this law, and that is why we are offering this amendment to H.R. 6.

The gasoline savings goal currently in H.R. 6 amounts to about a 20-percent reduction projected oil consumption by 2030, 23 years from now. But the oil savings in our amendment amounts to a 35-percent reduction in projected oil consumption in 2030. That is a significantly greater reduction, and I believe it is one we can achieve if we set the goal as high as it should be—high enough to cut our dependence on foreign oil and free America from dependence on the oil of tyrants. We put petrodollars—oil is a malleable product. We may not buy directly from Iran, but the fact is, the addiction we have to foreign oil puts petrodollars in the pockets of thugs and tyrants such as Chavez in Venezuela and Ahmadinejad in Iran.

The reality is that 97 percent of transportation in the United States is fueled by oil we buy from a unified global oil market. Saudi Arabia holds 20 percent of the world's oil reserves, Iran 10 percent, and Venezuela holds 6 percent of the world's oil reserves. It is time to stop funding Hugo Chavez and start sending that money to America's entrepreneurs.

Madam President, I urge my colleagues to join me in supporting this bipartisan oil savings amendment. Again, I applaud the chair and the ranking member, the Senators from New Mexico. They have strengthened this bill. There will be a CAFE piece that we know will achieve greater savings. But, clearly, what we are doing is about oil consumption not just about gasoline. I think we should set the higher standards. If we tell Americans this is the goal we have to reach, they will get it done, and we will benefit from it.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, we probably are going to enter into an agreement to have a vote this evening, but I didn't want the good Senator to leave the floor without me making three points.

I do not seek now to have an argument about his approach. I will do that before the vote when we set that up. But when the Senator from Minnesota talks about a goal of saving oil and the bill before us has savings of gasoline, I just wonder if he knows that most of the crude oil goes to gasoline in the United States. That is a fact, isn't it? Most of the crude oil we import, that we bring into our country to go to refineries, is turned into gasoline and used by automobiles.

Mr. COLEMAN. Madam President, most of the fuel we consume, I think over 60 percent, is gasoline. But the issue is dependence. Our concern is not just about gas. It is about oil, oil dependence. So we push a little further on the large issue.

I certainly agree with my distinguished colleague from Mexico that gasoline is a major part of what we are consuming.

Mr. DOMENICI. Madam President, I am going to yield the floor in a moment. I just want to say, if my colleague thinks carefully, the amendment that was offered that was spoken to by my good friend sets goals to be achieved by the White House, by the executive department. We have a bill before us that I am so proud of because for the first time, we did it right. We put in the bill the kinds of law changes that will save gasoline and oil because we change the law. We don't have to ask the President to find ways; we did it. When Senators vote for it, they will not be voting for a goal that asks the President to do something. They will be voting for a change in the law that makes cars more efficient in the future if produced and used in the American market.

That same bill will save tremendous amounts of electricity and whatever is used with electricity because we are going to become so much more efficient on appliances and the like.

And, third, there will be some enormous savings because we are going to make gasoline from something other than crude oil and other than by making it out of corn. We are going to make it out of switchgrass and other products that are part of the biomass approach.

I am proud that just those three will do more than we have ever done, and we won't be asking a President to set goals to achieve, which a President has never been able to do. If they could, they would do it without us asking them. We are doing it in this bill.

I yield the floor and will return when we have a vote on this matter.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, first, I thank my friend from Minnesota, Senator COLEMAN, who has been very active in the construction of the so-called DRIVE Act. I thank him for his cosponsorship of this amendment. I appreciate very much this is a bipartisan measure.

I say to Senator DOMENICI, if I may, I wish to respond to his statement. The aim of this amendment is to build on—and I mentioned this earlier in my statement—all the extraordinary steps forward that are in the bill that has come out of the Energy Committee and the Commerce Committee.

In other words, we are trying to do basically a couple of things with this amendment. One, it is true we are moving from the goal in the bill that just says gasoline to oil so that it includes all oil usage in the country.

Second, basically, we are saying to the executive branch that over the time ahead, here are some national goals we are setting. You have authority in law, and if this bill passes—thanks to the work that Senator DOMENICI and Senator BINGAMAN have done, and our friends on the Commerce Committee—the Government will have more authority. Put all those authorities together in a package and tell us how you are going to use those authorities to achieve the real goals in this bill.

So this is not in any way intended to undermine the very progressive steps in the committee's proposal, H.R. 6. It is intended to put a requirement on this administration and following administrations to make sure that all the authorities they have in the law are used to achieve these goals. If they don't feel they can do it with the authorities they have, they can come back to us and ask for more.

I yield to my friend from Minnesota.

Mr. COLEMAN. Madam President, I second what my colleague has said. I applaud the underlying work on this bill. It is progressive. It is going to make a difference.

What we are doing is simply building on that foundation and understanding that the issue of oil dependence is about oil dependence, and if we can move the ball forward, if we can give some specific tools to the administration—Congress is going to do the hard work. The Senator from New Mexico has done the heavy lifting. This is a very broad-based bill. There is a lot in this bill. I believe this amendment certainly has some responsibilities, and the executive branch needs to be part of the solution. I believe it is appropriate for Congress to give them this kind of direction. We will all benefit. But it certainly builds on a very steady foundation that the Senator from New Mexico has put forth, and I applaud him for doing that.

Madam President, I yield the floor.

Mr. LIEBERMAN. Madam President, I will add, unless Senator DOMENICI wishes to speak, I will suggest the absence of a quorum but not quite yet.

Senator COLEMAN has a good point. We are supporting the bill. It is a very significant step forward coming out of the committees. Again, I thank Senator BINGAMAN and Senator DOMENICI for their bipartisan leadership on this bill. This amendment sets good, significant goals for savings of oil consumption by America over the next 23 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Madam President, I ask unanimous consent that the time until 5:45 today be for debate with respect to amendment No. 1508 and the time be equally divided and controlled in the usual form and no second-degree amendment be in order prior to the vote and that at 5:45 p.m., the Senate proceed to vote in relation to the amendment, without further intervening action or debate.

Mr. DOMENICI. Reserving the right to object, what were the last two lines?

Mr. DURBIN. The Senate proceed to vote in relation to the amendment, without further intervening action or debate, at 5:45.

Mr. DOMENICI. I have half the time?

Mr. DURBIN. Yes, you do.

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, if there is no one here to speak directly to the amendment at this point, I would like to speak to the bill under this unanimous consent request. I will yield if someone comes to the floor to speak directly to the amendment, No. 1508.

This week in the Senate we are considering an energy bill, the Renewable Fuels Consumer Protection and Energy Efficiency Act of 2007. This legislation is built upon a goal we believe in, the goal to move America in a new energy direction which will enhance our national security and strengthen our economy while protecting the Earth on which we live.

This new energy direction calls upon the strength of America: innovation, ingenuity, creativity. We are calling for improvements in energy efficiency, development of cleaner alternative fuels, investment in research and development for new technology, improvements to fuel economy, and stronger consumer protection.

If we do not take steps to use our energy resources more wisely and instead continue on the path we have followed, we threaten our Nation's future, we risk our economic security, and we fail to protect our country and our children from the growing threats of global warming. If we continue on the path from where we have been, we will be left behind as others around the world who recognize the growing demand for energy make their own advancements in harnessing renewable resources and improving energy efficiency. We will fall behind as a nation and, instead of being leaders of innovation, we will be followers, reliant on others.

Business as usual will not improve our economy or make our Nation more secure. A new energy direction for our country will create jobs and grow our economy. Here are some facts, for a moment, to put it in perspective.

Every day, we consume 20.8 million barrels of oil, 14,000 barrels per minute, over 10,000 gallons per second—25 percent of all the oil produced in the world consumed here in the United States. Over 60 percent of the oil we use is imported. This figure may grow to 70 percent over the next two decades, with about half of the increase coming from members of the OPEC oil cartel, many with whom we have relationships that are shaky at best. The thirst for oil costs us $291 billion annually on oil imports, with 38 percent of this money going to OPEC.

In 2006, the top five integrated oil companies made $119 billion in profits. Making money is not a bad thing, but that is a recordbreaker. Since 2005, when the Senate last considered energy policy, gasoline prices have gone up 45 percent. Since the election of this President, gasoline prices in America have doubled. In my State, 2 years ago, we paid $2.19 a gallon. Today, the average is $3.35; in Chicago, $3.50. The cheapest gasoline I could find 10 days ago in Chicago, $3.75 a gallon. In the past 5 years, we have witnessed a 136-percent increase in gas prices and an 83-percent increase in diesel fuel prices. Think about the added shipping costs, manufacturing costs, and agricultural costs associated with this.

Three factors are at work here: the industry's failure to reinvest enough of their profits to expand refinery capacity, the increasing global demand for world oil resources, and our failure to reduce consumption. In order to help reduce our dependence on imported oil and break us from these ever-increasing costs, this bill calls for strengthening renewable fuel standards.

A century ago, Henry Ford's Model T was the first flex-fuel vehicle. It could run on both gasoline and ethanol. Ford knew that fuel could be found in many places, even fermented.

Here we are today, a century later, encouraging the production of bio-based renewable fuels in order to displace a portion of our petroleum thirst. This Energy bill calls for an increase in the domestic production of clean, renewable fuels to 8.5 billion gallons in 2012 and 36 billion in 2022. It specifically calls for an increase in advanced biofuels, those not derived solely from corn. This provision would save 1.4 million barrels of oil a day and reduce greenhouse gas emissions. Another provision in this bill will save us 1.5 million barrels of oil a day and also reduce greenhouse gas emissions.

For the first time in 30 years, this bill raises fuel economy standards for cars and trucks to 35 miles a gallon by

the year 2020. I offered an amendment 2 years ago that would have called for these higher fuel economy standards. The Senate was not ready for that amendment. I think America was. My amendment did not pass, but it was a starting point for the legislation we have today.

Title V of this bill reflects a true bipartisan compromise and addresses many concerns about CAFE standards. It authorizes NHTSA to establish tailored fuel economy standards based on vehicle size and weight, which removes the disparity between large-car manufacturers and those that produce smaller vehicles.

I would like to say a word about this. I still hear that many of the American automobile companies oppose these CAFE standards. It is truly unfortunate. The time for debate has come and gone. Unfortunately, some of the leaders of these companies have failed to make the right decisions about the products they sell in America. They have failed to invest in the kind of technology that would have brought us better miles per gallon with safe cars, cars that serve our families and the needs of our economy. They failed to do this. Sadly, other automobile companies have not failed. They have stepped in with more fuel-efficient cars that are now extremely popular. There are long waiting lines for hybrid vehicles and other cars that have real fuel economy. It is a sad day for Detroit, and I feel bad for an industry which once used to lead the world, and I feel even worse for the workers who were not part of these management decisions which unfortunately brought them to this moment today, decisions which resulted in cars and trucks that are being sold that do not serve the needs of America and its future as they should.

Now we have to change. We really have to move beyond this. We have to urge Detroit to move beyond their current thinking. Instead of just selling us more of last year's model, bring us fuel efficiency, bring us fuel economy so we can save money at the gas pumps and stop pumping all of these greenhouse gas emissions into the atmosphere, destroying the climate on our planet.

Two years ago, BusinessWeek published a story that said:

> As Congress puts the final touches on a massive new energy bill, lawmakers are about to blow it. That's because the bill . . . almost certainly won't include . . . a government-mandated increase in average fuel economy.

That was 2 years ago. That is when I offered my amendment. That is when it failed. We cannot fail again. If we fail again, shame on this Congress, shame on the Members who will not look to the reality of our future, which is with more fuel economy and fewer emissions from vehicles.

We also need to move for energy efficiency in so many different areas—in the appliances we use and the machinery we build, certainly in the cars and trucks we drive. We have to realize our reliance on foreign oil does not make us safer but, in fact, weaker in a world of real danger. We need to reduce our demand for foreign oil and increase domestic sources so we do not find ourselves drawn into countries around the world primarily because we depend so much on the energy from that country or that region. We have seen it happen over and over again.

A New York Times article from April 20 cited a report issued by 11 retired admirals and generals. This report argued that climate change could be a ''threat multiplier'' in already fragile parts of the world. Rising sea levels could threaten the livelihoods of a billion people living within 45 miles of Asia's coastlines; in Africa, recurring heat waves, causing widespread shortages of food and water. So our dependence on foreign oil and the energy we consume not only sends more American dollars abroad, sometimes to countries that do not share our values, but it tends to change the world we live in, change it in ways that destabilize us and make the world less safe.

We want innovation to be the driver of our future, not oil. We want more American jobs, a stronger economy, and a cleaner environment. We want a secure future for America.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, since I last had the opportunity to speak, a unanimous consent was entered to vote on the amendment, No. 1508, which has been introduced by the occupant of the chair, Senator SALAZAR, by Senator BAYH, Senator COLEMAN, Senator BROWNBACK—who is, unfortunately, not here today but is a cosponsor—myself, and others.

I do wish to say that this bill sets strong targets for a reduction of oil consumption by America and the American people and American businesses. It does so by way of breaking what we all agree is a harmful dependence we have.

I wish to make clear that the underlying bill as proposed by the committee includes targets. So we are not doing something different by having a target; we are just saying the target ought to be to reduce oil consumption, not just gasoline consumption, as the underlying bill indicates.

That is because we all know the problem we have in America is an addiction to oil. It is oil dependence, not just gasoline dependence. It is all of the various uses of oil we have. To get a bit technical, if we only talk about reducing gasoline consumption, that might be accomplished by greater use of diesel, but diesel comes from oil. So we would not, even if we went to diesel, decrease our dependence on foreign oil. So we think this is building on not just the targets in the bill but building on all of the good work for energy conservation and energy efficiency in the bill. It would strengthen the bill.

The targets are a bit more ambitious and would, by our calculations, reduce American consumption of oil by 35 percent from what it would otherwise be in the year 2030. That is substantial.

Mr. President, I yield the floor and ask unanimous consent that the time be charged equally to both sides during any ensuing quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, fellow Senators, let me say, we are getting close to the end of a good day on the bill. This is a three-part bill that came to us from the Energy, Natural Resources Committee, the Commerce Committee, and the Environment and Public Works Committee. Then the majority leader put them together, and I was very proud to be able to come to the floor and tell the Senators and the American people what an outstanding bill this was. We had not heard much from anybody, and people were not quite sure what happened. But people kept saying: We had an energy bill. Well, we can, at the end of the first day, say we still have it. It has not been changed any. We accepted one amendment. It was an authorizing amendment, and it enlarged upon some pieces of the bill. But essentially it is intact.

And, lo and behold, without this amendment that is before us, which I urge the Senate not pass, that they not vote for it—it is harmless, but I do not think we ought to pass it. I wish to tell you all why. To do that I have to talk a little bit about the bill, because the bill changes the law. If all of the things in this bill get adopted, we will save huge amounts of crude oil and gasoline.

The other side keeps mentioning that the bill saves more gasoline and not enough crude oil. But I guarantee you that if we could get the kind of savings that could be forthcoming from transportation fuels, America would be safe, America would be happy, and we would not be dependent, because we would be using much less crude oil also.

So there is no difference. They are almost the same. Nonetheless, the truth of the matter is that never in the history of the Congress have we saved so

much gasoline—that is the thing that moves transportation in America: diesel fuel, transportation, and related products. Never have we changed America so much in terms of how much of that fuel we would use. What fuel? The fuel everybody says makes us more and more dependent, the transportation fuel. Right.

Now, what happened is we did not adopt a bill in the Energy Committee or the Commerce Committee, headed by the Senator from Hawaii and Senator STEVENS from Alaska. Those bills that produced that came from these committees and are actually changes in the law.

Let's talk right off and say the biggest change is the CAFE standards. The Commerce Committee, which has jurisdiction, had the courage and the guts to adopt a long-standing amendment sponsored by the Senator from California, Mrs. FEINSTEIN, and it had been regularly known as the bill that changes the CAFE standards. We adopted it. It is in here. The changes we have been yearning for are here. We adopted them, and they are now before us. We don't have to ask anybody to make the changes that will cause the biggest single savings in transportation fuels that we ever did.

Then right on top of that, the Energy and Natural Resources Committee adopted a huge multiyear program to use more ethanol but ethanol that would not be produced by corn but, rather, by switchgrass and come out of that whole area we are now researching and just almost over the hurdle in terms of a new kind of production of ethanol. When you add the two together, it is the biggest reduction in transportation fuel we will ever get.

I wanted to make the point that we did not set any goals; we did not adopt any targets; we did not ask the President to find any savings. We asked the President to sign a bill that will make the savings because we change the law.

When oil savings amendments were offered in the past, people would say this was a hidden CAFE standard. They were correct. When you direct the executive branch to save oil in such a dramatic way, one of the only ways you can do it and reach that goal is to change the CAFE standards. So whenever you were telling the President to make these savings, everybody would say: In transportation, the only way you can do it is to change the CAFE standards. Isn't that interesting? But we didn't do that here today. We changed the CAFE standards and saved oil and gasoline over the next 30 years, calculated as it is in the bill, because we got that done.

We don't need a hidden CAFE in this bill, which essentially is the only way you could get to your targets in oil is to do something to transportation consumption, and that means you would have to do something with the so-called hidden CAFE standards that would be incorporated in your suggested targets. In the bill we have, there are real increases in the CAFE standards that are adopted and they were articulated by Senator FEINSTEIN and talked about at length. Perhaps when we pass this amendment asking the President to save oil, perhaps when we do that—and I know my good friend, the occupant of the Chair, thinks that amendment I am talking about is a great thing because it sets targets and let's us dream, as he says, but I think all the President would have to do, if we adopt and sent to him the Bayh amendment—that is properly the name of it because he was the first name on this many months ago—I would venture to say, without fear or trepidation, if we had the bill we have before us today, Senator BAYH wouldn't be introducing this amendment with these kinds of targets, because he would look down and say: The biggest target for crude oil that is used in gasoline is already done because they have changed the CAFE standards. They don't need another target.

If we continue this way and we adopt the Bayh amendment, then when the President signs our bill, he can send it back to us and say: This is my plan, to do what you asked me to do, because in this bill we have already accomplished the things you were talking about.

Let me say, there isn't any rancor. I am not trying to belittle anybody. The truth is, when you have to set targets and tell the President to achieve the targets, you have accomplished nothing. Because if that is the way you could have saved crude oil in the past, every President would have done it himself, would have taken us out of this crisis by doing just what your targets say, go out and find them and do them. But you can't do them. You have to have Congress. You have to change laws.

I want to sit down for a moment and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BAYH. Mr. President, if I could ask a question of my friend and colleague from New Mexico, I am informed that the time on our side of the aisle has expired. Is it possible I could prevail upon him to request 2 minutes, perhaps?

Mr. DOMENICI. How much time do I have?

The PRESIDING OFFICER. The Senator from New Mexico has 7 minutes 57 seconds. The Senator from Indiana has 1 minute 33 seconds.

Mr. DOMENICI. What do you want, five total?

Mr. BAYH. If I go beyond three, it will have been an imposition.

Mr. DOMENICI. I will say five.

Mr. BAYH. I thank the, Senator. I appreciate that very much.

I want to begin by complimenting you for the excellent work you and Senator BINGAMAN have demonstrated on this bill. I know it is a matter of great concern to you and, frankly, I am pleased to see your cooperation from your State can cross party aisles just as mine with Senator LUGAR crosses the party aisle in my own State.

I thank all of our colleagues, starting with Senator LIEBERMAN for his hard work and leadership. I thank Senator SALAZAR, who occupies the Presiding Officer's chair today; Senator BROWNBACK, who could not be with us. He is in the process of returning to the floor but is supportive and helpful. I thank Senator COLLINS, Senator NORM COLEMAN, and all others who have been instrumental. Our leadership group on this bill extends from Senator BROWNBACK to Senator KERRY. It includes Democrats, Republicans, and even independent Democrats, suggesting the breadth of our support and, more importantly, the justice of our cause.

I don't speak often on the floor. Frankly, I don't find utility in it that often. But the magnitude of this issue is important to our Nation. Its importance to our Nation compelled me to come here today to speak on behalf of this amendment. It is a friendly amendment designed to improve what is a good work product in the underlying bill. We offer this amendment for several reasons.

First, because the issue of oil dependency is one of the defining challenges of our time. Our ability to grapple with this issue will affect our Nation in profound ways. It will affect finances, our economy, our environment and, most importantly, the quality of the world that one day we will leave to our children.

Unfortunately, today we are not doing nearly enough to meet this challenge. We can and must do better. This is brought into stark reality when you realize that since the attack on 9/11, we import more oil to this country today than we did on that day. Clearly we must do better. The expected consumption of petroleum is projected to increase from 20 million barrels per day this year to 26.8 million barrels per day in 2030. This is unacceptable. We have gathered here today to do something about it, to move us as far and as fast as we can to reduce this dependency on imported petroleum.

This is affecting the quality of Americans' daily lives. I was looking at some statistics before coming to the floor. American consumers in the first 6 months of 2006 spent $38 billion more on gasoline than they did in 2005, and $57 billion more than they did in 2004. This is an alarming trend that we don't need to bring to the attention of anyone who is filling up at the pump. Clearly we have to do something about this. Our amendment is designed to be robust and aggressive in doing so.

We have worked with a coalition of 26 of our colleagues to form the DRIVE Act. It spans the ideological spectrum. Our goal is to reduce oil imports by 2.5 million barrels per day over the next 10 years, an equivalent of everything we currently import from the Middle East. Along with the authors of this bill, we propose that we move America in a

better direction to find a better future for our children and create a legacy of which we can be proud. I believe we can do that in material ways, getting there further and faster than the underlying bill envisions.

Our approach targets oil, petroleum, not just gasoline. Gasoline is an important subset of the challenge. But dependency on oil and particularly imported oil gets to the heart of the challenge facing our country. That is what our amendment does. We propose an additional reduction of 3.8 million barrels per day, a further reduction in our dependency of 15 percent, a material step in improving our situation. Finally, we hold the administration accountable, requiring the Office of Management and Budget to work with the Departments of Energy and Transportation to come up with a specific plan, not just a goal but a specific plan with concrete steps to achieve that goal and to revisit that plan, to evaluate its effectiveness every 3 years, to make sure we do more than pass this amendment or pass this legislation but, in fact, we translate this legislation into concrete results for the American people.

Let me conclude by saying this is a good bill. It begins to take us in the right direction. But now is the time to do something more than just good steps. Now is the time to take bold, transforming steps to meet the challenges, particularly one of the defining challenges of our time. Now is the time to invest in American ingenuity, to build an American future that is more prosperous, more healthy, and more secure. Now is the time to forge a legacy that will enable our grandchildren one distant day to say that we were both good stewards of our Nation and, most importantly, good stewards of their future.

That is what this bill will accomplish. That is what this amendment will accomplish. That is why I urge colleagues to vote in support of the amendment.

I yield the floor and thank the Senator from New Mexico for his indulgence. He has been very kind.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, that was an eloquent statement and I want to acknowledge it. But I want to make sure those who are worried about America's energy crisis know a mere statement, whether it be verbal or written down on a piece of paper, that says we ought to achieve this doesn't achieve anything. Or we in the Senate think our goal should to be save 3.5 million barrels of oil and then say how proud we are that we are going to achieve this great goal; that doesn't do anything. All you have is, if you have a bunch of targets and goals and they are high and they are big, you can say: We are a better dreamer than the other side, because we have these great dreams about how much we should save and what our target should be. But think for a minute, what do they accomplish?

The truth is, the underlying bill, for a change, saves on crude oil consumption and gasoline, because we have changed the CAFE standards permanently. As anybody in here remembers, every time we were talking about saving large quantities of gasoline, if we could just change the CAFE standards. Remember? Well, we changed them. The biggest way to save on gasoline is to change them. We changed them. We don't need a target in the bill that says we should save on gasoline. Maybe you should say by changing the CAFE standards, but the President can't change the CAFE standards. Only we can, and we did.

They have some auspicious goals, some magnificent targets. They can speak eloquently about what will be required to do them. But the point is, they don't save one single penny's worth of gasoline. They don't achieve 10 cents' worth of savings. They are merely goals, things we wish to do. I guarantee you that the bill they are attaching this amendment to for a change will truly save by changing the CAFE standards permanently. By changing the standard for ethanol and the second generation of ethanol, we will save more on gasoline and then on crude oil, which it comes from, than we have ever done before. So we don't need an amendment to a terrific bill. The bill is something we can be very proud of. Three committees participated. They did it bipartisanly.

Now we have bold and high words about what the President should do because it says the President shall find ways to achieve these goals. That is essentially the plan: Mr. President, we have these goals. Mr. President, you go talk to OMB and you achieve them.

That is it. I do not believe anybody thinks that will work. But I would say, if it passes, I do not know what it does, and I do not know what we would do with it because I do not know how you get any savings from that kind of proposal.

But I kind of know where we are. A lot of Senators and non-Senators got together before we were here with this bill and decided they would introduce a bill that sounded good, that set high goals, and they did. Then we come along with a bill that actually does it, and they want to amend it to get in on the action, which I do not believe would accomplish much.

I compliment the Senators for the way they have worked, and in particular Senator BAYH, whom we do not see very much, but I see him a lot, and I am pleased always to see him. I say to the Senator, I thank you for the way you have responded.

I wish to say again, I don't believe with the bill we need your bill. With the bill that is underlying, we do not need another bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 1508.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Oklahoma (Mr. COBURN), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. MENENDEZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 63, nays 30, as follows:

[Rollcall Vote No. 209 Leg.]

YEAS—63

Akaka	Feinstein	Nelson (FL)
Alexander	Graham	Nelson (NE)
Baucus	Grassley	Pryor
Bayh	Gregg	Reed
Biden	Harkin	Reid
Bingaman	Inouye	Rockefeller
Boxer	Kennedy	Salazar
Brown	Kerry	Sanders
Byrd	Klobuchar	Schumer
Cantwell	Kohl	Sessions
Cardin	Landrieu	Smith
Carper	Lautenberg	Snowe
Casey	Leahy	Specter
Clinton	Levin	Stabenow
Coleman	Lieberman	Sununu
Collins	Lincoln	Tester
Conrad	Lugar	Thune
Dorgan	McCaskill	Voinovich
Durbin	Menendez	Webb
Ensign	Mikulski	Whitehouse
Feingold	Murray	Wyden

NAYS—30

Allard	Crapo	Kyl
Bennett	DeMint	Lott
Bond	Dole	Martinez
Bunning	Domenici	McConnell
Burr	Enzi	Murkowski
Chambliss	Hagel	Roberts
Cochran	Hatch	Shelby
Corker	Hutchison	Stevens
Cornyn	Inhofe	Vitter
Craig	Isakson	Warner

NOT VOTING—6

Brownback	Dodd	McCain
Coburn	Johnson	Obama

The amendment (No. 1508) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, let me propound a unanimous consent agreement with regard to tomorrow morning.

I ask unanimous consent that on Wednesday, June 13, when the Senate resumes consideration of H.R. 6, the time between the end of morning business and 11:45 a.m. be for debate with respect to the Inhofe amendment No.

1505, with no amendment in order to the amendment prior to the vote, and that the time be equally divided and controlled between the Senator from Oklahoma, Mr. INHOFE, and the Senator from California, Mrs. BOXER, or their designees; and that at 11:45, the Senate proceed to vote in relation to the amendment without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, last Wednesday I came to the floor and introduced legislation that would place the country in a new direction, a path toward a better energy future, by requiring that 25 percent of electricity be provided by renewable sources in this country. For me, this is not that radical an idea, since my State, the State of Minnesota, just enacted this plan this past year. It was brought into law by an overwhelming majority, a bipartisan majority in a Democratic-controlled legislature, and signed into law by a Republican Governor. In fact, it is even higher for Xcel Energy, which is our largest electricity company. They are bound to a 30-percent standard. In fact, the CEO of that company came and sat in my office and told me that he felt they could meet that standard without increasing rates.

Part of this is that Minnesota has been on the front end of renewables. We have done it with fuel, with biodiesel, and with ethanol—in fact, we have about a third of this country's ethanol that comes right in our State. And we have done it with wind. We have so many wind turbines right now down in southeastern Minnesota, in the Pipestone area, that they have actually opened a bed and breakfast. If you are looking for an interesting weekend, you can go to the bed and breakfast in Pipestone, MN, and wake up in the morning and look at a wind turbine.

But this is serious stuff. I was proud to introduce that 25-by-25 standard, but I also want to say that I support the standard the Senator from New Mexico, Mr. BINGAMAN, is introducing in the next few days, and that is a 15 percent by 2020 standard.

Our current path has led us to record-high electricity and natural gas prices. These prices are not only hurting ordinary families, but they are also hurting businesses that see their own costs going up dramatically. The growth of energy-intensive industries, such as manufacturing, is actually being stunted due to skyrocketing energy costs. We already know the negative impact this situation is having on the environment. It is clear that we need a new direction, that we cannot continue down the energy path we are on anymore. A strong renewable energy policy is good for this country.

Currently, I will say, we do not have a diversified electricity portfolio. Mr. President, 52 percent of our electricity comes from coal, 20 percent is generated using nuclear power, 15 percent natural gas, 7 percent hydro, and only 2.5 percent from renewable energy. A strong renewable electricity standard can actually diversify our energy sources so we are not so reliant on one energy source, such as natural gas, that could be vulnerable to periodic shortages or other supply interruptions.

A strong renewable energy standard can also save the American consumer money. According to several studies, a 15-percent renewable electricity standard will save consumers a total of $16.4 billion on their energy bills by the year 2030. An aggressive national standard will also open the door to a new electricity industry that will bring in thousands of jobs and pump billions of dollars into our economy.

Over the last 20 years, America's renewable energy industries, and the wind industry in particular, have achieved significant technological advancements. The industries for solar, wind, and biomass energy systems are expanding at rates exceeding 30 percent annually, and the clean energy revolution is still in its infancy. So the question is, Does the United States want to be a leader in creating new green technologies and the new green industries in the future? Are we going to sit back and watch the opportunities pass us by?

We are no longer the world leader in two important energy fields. We rank third now in wind production between Denmark and Spain. We are also third in solar power installed, behind Germany and Japan. Ironically, these countries surpassed us by using technology that was actually developed in our own country. We came up with the right ideas, but we didn't have a plan or the standards in place to adequately fund the deployment of these technologies. That is because the Federal Government has been complacent and let the States take the lead. That is good in some ways. The States, as Justice Brandeis noted, are the laboratories of democracy. He always talked about, in that one opinion, how an individual State can have the courage to experiment and bring us new ideas on a national basis. But I don't think he ever meant this should mean inaction by the Federal Government. Sadly, that is what has been happening.

Twenty-two States now throughout the country have already demonstrated the value of establishing renewable electricity standards. As I mentioned, Minnesota has been one of the most aggressive with its 25-by-25 standard.

The way that bipartisan standard was set, with a Democratic legislature and a Republican Governor, should be a model for national action. The courage that we have seen in the States must be matched by courage in Washington. We have an opportunity in the next 2 weeks for the Federal Government to act. It is time for the Federal Government to begin moving toward an aggressive national standard on power with State standards.

We have everything we need, we just need to act. I have talked to many investors and businesspeople, and part of the issue is we never think in the long term in government. We don't set these standards out because when you set those standards out, the money is going to follow in terms of investment. But they think the standard is going to change or maybe we just set it for the next 2 years instead of setting it out as Senator BINGAMAN has suggested in his amendment for the year 2020, when we get stronger investment confidence in what we are going to be doing in this country and the new direction in which we are going to be headed in this country.

We have the fields to grow the energy that will keep our Nation moving, and we have the wind energy to propel our economy forward right here in the United States. We have the science, we have the universities, we have the technological know-how. We always believe in science.

In my State, we brought the world the Post-it note and the pacemaker. We have always been on the front end in science. That is why the people who are committed to a strong, renewable standard in our State are not just limited to the people who might be investing in it. It is students at the university who see the potential. It is kids who wear little buttons about ''save our penguins.'' It is the city council down in Lanesboro, MN, that recently changed out all of their lightbulbs because they are concerned about climate change. It is farmers who are putting up wind turbines in their backyard because they know it is going to save them money. It is school districts that say: Maybe I will get a wind turbine. It is governments across this land, with mayors and city councils that are installing solar energy, that see the future and see this new direction.

It is our job in the next 2 weeks to lead the new direction. And that is why I support a strong renewable standard. That is why I urge my fellow Senators to support the amendment, which I am already cosponsoring, for a 15-percent renewable standard for electricity in this country. We have to start now.

MORNING BUSINESS

Mr. BINGAMAN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING SENATOR CRAIG THOMAS

Mr. SMITH. Mr. President, there is a term that is often used here in the Senate when members refer to one another. That term is ''gentleman.'' No one fit that term better than Senator Craig Thomas. I join with all my colleagues from both sides of the aisle in mourning the loss of Senator Thomas, and in extending our condolences to his wonderful wife Susan and the entire Thomas family.

In the 10 years I was privileged to serve with Senator Thomas in this Chamber, I never once heard him raise his voice, and I never once saw him lose his temper. But that doesn't mean that Senator Thomas was not a fighter for his beloved Wyoming. In fact, he was a very effective advocate for the people of Wyoming and all of rural America. His accomplishments were not the result of shouting. They were the result of perseverance, integrity, and a whole lot of hard work.

I was privileged to serve with Senator Thomas on a number of committees, where I saw firsthand the scope of his interests and his effectiveness. On the Finance Committee, I saw how he was a champion for better health care for rural Americans, and I saw how he worked to open markets for the cattlemen, farmers, and soda ash producers of Wyoming.

On the Energy and Natural Resources Committee, he brought Wyoming's unique perspective to the forefront on the energy debate, and, as chairman and ranking member of the National Parks Subcommittee, he brought the first reform overhaul to the National Parks Service in 20 years—a vital step in a State that is home to the Yellowstone National Park, one of the crown jewels of our park system.

And I served with Craig on the Indian Affairs committee, where the Eastern Shoshone and Northern Arapaho tribes of Wyoming's Wild River Reservation and Native Americans across the country could always count on his commitment to improving their lives.

Although Craig Thomas spent the last 18 years of his life working in the corridors of the U.S. Capitol, he never forgot where he came from. He was a true westerner, a straight-talker, and he was always just ''Craig'' to his constituents. Always at Craig's side was his wife and partner Susan, who is always a remarkable, eloquent advocate for Wyoming. The last several months have been difficult and challenging ones for Craig, and Susan was always there for him.

Mr. President, my wife Sharon joins with me in extending our condolences to Susan, the Thomas family, and the people of Wyoming. I can say without hesitation that the ''gentleman from Wyoming'' will always be remembered by those of us who were fortunate to serve with him, and by all those he served with such diligence and distinction.

IRAQ

Mr. FEINGOLD. Mr. President, I wish to join the majority leader in marking a solemn milestone in the war in Iraq. Three thousand five hundred members of the armed services have died fighting in Iraq. Like those before them who died serving their country, those 3,500 men and women have served honorably. We are all indebted to them for their courage and patriotism, as we are indebted to the 25,950 troops who have been wounded.

It has been just under a year since the 2,500th U.S. servicemember died in Iraq. With the toll of this war continuing to mount, particularly since the President decided to escalate our involvement, we must redouble our efforts to change course in Iraq. We owe it to the troops serving in Iraq. These brave men and women signed up to defend their country, not to police an Iraqi civil war. Many of these individuals chose to join the Armed Forces as a result of the horrific attacks of September 11. Yet they have found themselves fighting in a country that had nothing to do with those attacks. As they endure untold hardship in Iraq, al-Qaida and its extremist network are rebuilding in Afghanistan, northern Africa and around the globe.

As I am sure my colleagues have done, I have been to the memorial services honoring the dead, I have handed the wounded their Purple Hearts, I have spoken to the parents whose children have returned from war with brain injuries they will live with for the rest of their lives. These experiences are a constant reminder of the responsibility we have to the brave individuals who have volunteered to defend their country. We have a duty to ensure that when they are asked to fight on our behalf, it is not on the basis of false premises and shifting rationales. We have a duty not to put them in harm's way when there is no exit strategy. Most importantly, we have a duty to bring them home because we know there is no military solution to the war they are fighting.

We must help the Iraqi people rebuild their country and we must work to build the broad international coalition that is needed to help bring peace and stability to Iraq. But our servicemembers in Iraq have been asked to do the impossible—they have been asked to resolve political and other differences by military force. The Congress has the power to change this misguided policy by forcing the President to redeploy U.S. troops. Measures that express the need for a policy shift, and concern for the well-being of the troops, may be well-intended but they do not go far enough and they will not help the troops. Only binding legislation requiring redeployment will prevent further brave servicemembers from losing their lives for this administration's failed and self-defeating policies.

Many soldiers serving in Iraq have written to me to express their support for my efforts to end this war. It is with them in mind that I will continue working to end this tragic mistake.

COLLAPSE OF THE BERLIN WALL

Mr. ALLARD. Mr. President, I would like to note that exactly 20 years ago, on June 12, 1987, President Ronald Reagan stood at the Berlin wall, at the Brandenburg Gate, and issued his—issued liberty's—famous challenge to Soviet tyranny:

> General Secretary Gorbachev, if you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberalization: Come here to this gate! Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!

Although that speech was deeply rooted in the Cold War, and is indeed seen as a significant milestone in that war, it also spoke larger truths. President Reagan also said:

> Freedom leads to prosperity. Freedom replaces the ancient hatreds among the nations with comity and peace. Freedom is the victor.

President Reagan was not just addressing West Berlin, and the Soviet General Secretary, he was addressing the world, and posterity. He was expounding on the American ideal of liberty and justice for all. He was not addressing a regional problem, but mankind's aspirations. It was a triumphant moment for Americans and our ideals.

Accordingly, I have previously submitted a resolution, S. Con. Res. 1, calling for an artistic rendering of that moment in time to be painted into the Capitol, along with the other significant scenes of our Nation's past. As we walk through the building today, we can see scenes from the Nation's founding, from the Civil War, our westward expansion, even the Moon landing and *Challenger* astronauts. I would like to also see Reagan at the Brandenburg Gate. I think it would be entirely appropriate to have this image added. It would be an important reminder of the struggle this Nation undertook. It would stand for the millions of Americans who did their part for nearly half a century in that struggle, both military and civilian. And it would testify to the greatness of our Nation, and the greatness of our 40th President.

Today I am adding cosponsors to that resolution. I urge my remaining colleagues to join me as well. This is worth doing.

POLLINATOR HABITAT PROTECTION ACT

Mr. BAUCUS. Mr. President I rise today to speak about S. 1496, the Pollinator Habitat Protection Act, which I introduced on May 24. Pulitzer Prize-winning insect biologist E.O. Wilson said the honeybee is nature's ''workhorse—and we took it for granted.'' That statement sums up the state of the Nation's honey bee.

Our Nation's honeybees are being affected by a phenomenon named colony collapse disorder, and the symptoms are baffling. Since October 2006, 35 percent or more of the United States' population of the Western honeybee—billions of individual bees—simply flew from their hives and disappeared.

We don't know what is causing their disappearance. The honeybee is an active pollinator for both agriculture and native plants. It is used commercially to pollinate crops across the country, and some crops, like apples and almonds, will not produce fruit without the assistance of the honeybee. My home State of Montana is the country's fifth largest honey-producing State. Without bees, Montana would not produce our famous huckleberries.

During busy years, a hive might make up to five cross-country trips, following the crop blooming cycles. Scientists are speculating that the bees are stressed from making cross-country journeys and are being attacked by viruses and parasites. Either way, this is an emergency situation, and we have to do something now.

That is why I am introducing the Pollinator Habitat Protection Act. This bill is simple and it makes sense. It is the right thing to do.

Through the use of the existing conservation programs in the farm bill, agricultural producers would receive incentives to rebuild natural habitat with flowering plants to benefit pollinators such as honey bees. For example, instead of planting straight grass, a producer could plant clover, alfalfa, or other native flowering plants on land enrolled in the Conservation Reserve Program.

Perhaps this bill's most attractive feature is that it does not cost additional money or create a new program. It simply requires existing conservation programs to acknowledge pollinator habitat as a conservation resource and rewards producers whose conservation practices are beneficial for pollinators.

When the budget is tight, it is better to improve existing programs rather than create new ones. This is a dramatic important improvement for our conservation programs.

It is not often we can protect our environment and increase producer's income at the same time. But that is exactly what this bill will do. This is one simple way to help out our honeybee population and give farmers another option to make money on their land.

As a honorary cochair of the Pollinator Partnership, I am honored to introduce this legislation. I thank organizations like the Coevolution Institute which are doing the right thing, by bringing a diverse group of people together from across the country to address this challenging issue.

I urge my colleagues to support S. 1496 the Pollinator Habitat Protection Act.

WORLD DAY AGAINST CHILD LABOR

Mr. HARKIN. Mr. President, today, June 12, is the annual observance of the International Labor Organization's World Day Against Child Labor. This is the day we set aside each year to speak out against the fact that millions of children around the globe continue to be trapped in forced and abusive labor, often in extremely hazardous conditions.

For many years, I have been active in efforts to stop exploitative child labor as well as trafficking in child and female slaves around the world. In my travels, I have seen this scourge firsthand. I have come to the floor of the Senate many times to speak about this issue. I have spoken about how shocked I was to see the deplorable conditions under which these kids are forced to work. Many are physically, emotionally, and sexually abused. All of them, every child engaged in abusive child labor, is deprived of a childhood solely for someone else's gain.

Why should we as a nation tolerate children being used in such a manner? We should not. It is a moral outrage and an affront to human dignity. When a child is exploited for the economic gains of others, not only does the child lose, but the family loses, and I think the whole world loses. It is bad economics, and it is bad development strategy. A nation cannot achieve prosperity on the backs of its children, and there must be no place in the global economy for child labor.

This year, the World Day Against Child Labor specifically shines a spotlight on child laborers in agriculture. This has been a special concern for me going back many years. I have been especially concerned about forced child labor in the cocoa industry.

In 2001, the Knight-Ridder syndicate ran a series of articles on forced child labor on cocoa farms in West Africa. According to one of those articles, child laborers in Ivory Coast ''are whipped, beaten, and broken like horses to harvest the almond-sized beans that are made into chocolate treats for more fortunate children in Europe and the United States.''

When I read these articles, I resolved to do everything I could to end this tragic exploitation of children. Together with Congressman ELIOT ENGEL of New York, we engaged the major chocolate companies in lengthy, intense negotiations. The result was what is now called the Harkin-Engel protocol, an agreement that aims to ensure that cocoa beans are grown and processed in a manner that complies with the International Labor Organization Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor.

The Harkin-Engel protocol, signed in September 2001, applies everywhere that cocoa is grown and processed. It laid out a series of date-specific actions, including the development of credible, mutually acceptable, voluntary industry-wide standards of public certification by July 1, 2005 in order to give a public accounting of labor practices in cocoa farming. Although I was disappointed that the July 2005 deadline was not fully met by the industry, we have continued to work together and the rollout of the certification system—including monitoring, data analysis reporting, and activities to reduce the worst forms of child labor—will proceed as aggressively as possible in Ivory Coast and Ghana with the goal of covering 50 percent of the two countries' cocoa producing areas by July of 2008. This is, indeed, a milestone on the path toward the ultimate goal of 100 percent coverage in cocoa-producing countries around the world.

The clock is ticking. The corporations and national governments that were party to the Harkin-Engel protocol are moving forward. For example, the Government of Ghana has conducted a pilot project and the results were released. However, the results still need to be independently verified, and I am hopeful that the industry will work with the Ghanaian government to have these preliminary reports independently verified in accordance with the protocol. Additionally, the Ivorian government has only recently begun to conduct a pilot certification process. It is a good start, but that pilot needs to be scaled up in order to give more realistic results for the main harvest season.

The Harkin-Engel protocol marks an important first—an entire industry, including companies from the United States, Europe, and the United Kingdom taking responsibility for addressing the worst forms of child labor and forced labor in its supply chain.

Today the protocol stands as a framework for progress in West Africa, bringing together industry, West African governments, organized labor, nongovernmental organizations, farmers groups, and experts in a concerted effort to eliminate the worst forms of child labor and forced labor from the growing and processing of cocoa.

To further assist in the effort to eradicate child labor, in my capacity as chairman of the Congressional Human Rights Caucus, this past April I convened a hearing to facilitate collaborative efforts by advocacy groups in the child labor field. In light of the International Labor Organization's report last year, the discussion focused on how best to continue the cooperative international effort to eradicate child labor.

The ILO global report, ''The End of Child Labor: Within Reach,'' states that for the first time child labor, especially in its worst forms, is in decline across the globe. Between the years 2000 and 2004, the number of child laborers worldwide fell by 11 percent, from 246 million to 218 million. Even better, the number of children and youth aged 5–17 trapped in hazardous work decreased by 26 percent, declining from 171 million in 2000 to 126 million in 2004. Among younger child laborers, the drop was even sharper at 33 percent.

This is remarkable progress in just 4 years' time. And looking to the future, the report cautiously predicts that, if the current pace of decline is maintained, and if global efforts to stop child labor continue, we have a real shot at eliminating child labor in its worst forms within 10 years' time.

Today, 218 million child laborers—many of whom are trapped in the worst forms of child labor, such as prostitution, armed conflicts, and slavery—are still suffering. While the U.S. Government and international organizations such as the World Bank and UNICEF have programs designed to reduce abusive and exploitative child labor, it will require all of these entities and others working together if we are to reach the goal of ending the worst forms of child labor by the year 2016.

Likewise, in the broader fight against child labor, the ILO report verifies that we are on the right track to eliminate abusive and exploitative child labor. The great work of the ILO's International Program on the Elimination of Child Labor, IPEC, affirms the confidence I placed in this program early on. I secured the first Federal appropriation for the IPEC program back in 1996, and over the last decade, I have secured a total of more than $323 million for the program. Clearly, that money has made a real difference in the lives of children. It has given millions of children an opportunity to get an education and to break the cycle of poverty.

Although there has been a tremendous amount of progress in ending child labor, now is not the time to become complacent. Economic development alone is not enough. We must also focus on human rights and educational opportunities for those in poverty. Social change must go hand in hand with economic development, which requires workers' and employers' organizations. Our keys to success will be mainstreaming child labor efforts with other human rights and development goals, as well as getting national governments, NGOs, and international organizations working cooperatively to end child poverty.

We should not think about these children only on June 12 each year. We should think about this last vestige of slavery 365 days a year. I have remained steadfast in my commitment to eliminating abusive and exploitative child labor. It was in 1992 that I first introduced a bill to ban all products made by abusive and exploitative child labor from entering the United States. And I am committed to working with the representatives of the cocoa industry and the national governments to implement the Harkin-Engel Protocol by July 1, 2008 deadline.

In my view, we can make significant progress to eliminate this scourge if we all do our part and redouble our efforts. This means that governments must not merely pass laws but enforce them, while also striving to provide quality free education. Businesses must take responsibility, as well, by not hiring children, and by paying adults livable wages so they can provide for their families. Multilateral institutions must also play a robust role. Together, we can eliminate the worst forms of child labor by 2016.

75TH ANNIVERSARY OF JACOB'S PILLOW

Mr. KENNEDY. Mr. President, this month marks the 75th anniversary season of Jacob's Pillow. Based in Becket, MA, it is the longest running dance festival in the United States. Jacob's Pillow is renowned in the dance world for its commitment to excellence and beloved by audiences throughout the world for the quality and diversity of its programming.

This prestigious organization is one of the most significant cultural groups in Western Massachusetts and it attracts tens of thousands of visitors to the beautiful Berkshire Mountains each summer. Cultural tourism is the second largest industry in Massachusetts, and cultural jewels such as Jacob's Pillow are the anchors of the industry. Year after year, surveys demonstrate that arts, culture, and heritage are among the top reasons for visiting Massachusetts.

With its proud heritage, Jacob's Pillow continues to be one of the most dynamic centers of dance in our State and across the country. As Mikhail Baryshnikov has said, ''Jacob's Pillow is one of America's most precious cultural assets—a haven for choreographers and dancers and an environment that nurtures the creation of new work.''

The site was originally a family farm settled with extraordinary pioneering spirit in the 1700s, and it became a station on the Underground Railroad in the 19th century for slaves escaping to freedom.

In 1933, Jacob's Pillow was established as a dance festival and school. Its mission continues today to support dance creation, presentation, education, and preservation. Through this work, it broadens appreciation and understanding for classical and modern dance—and it provides an important opportunity for dancers and choreographers to develop their own work and skills.

In addition to its regular programming, Jacob's Pillow also offers over 200 free events each season, including performances, workshops, lectures, and discussions with artists. It maintains a preservation program with rare archives open to the public, a training program for arts administrators, year-round community programs, and a creative development residency program.

Jacob's Pillow also encompasses a professional school training and mentoring program for emerging dancers and is recognized throughout the globe as a center for arts leadership in the world of dance.

It is the first and only dance institution in the United States to be declared a National Historic Landmark for its important part in our country's cultural heritage. It embodies the very best in cultural achievement and has enhanced the causes of the many talented artists who have performed on its stages and enhanced the lives of countless audiences who have enjoyed their exceptional performances.

As President Kennedy said, ''I am certain that after the dust of centuries has passed over our cities, we, too, will be remembered not for victories or defeats in battle or in politics, but for our contribution to the human spirit.''

I commend the many dedicated persons who have made Jacob's Pillow such a remarkable success over the past 75 years. May this treasure of Berkshire County continue to enrich us all in the years ahead.

EXTRAORDINARY CONFERENCE OF CFE STATES PARTIES

Mr. LUGAR. Mr. President, on May 28, 2007, Russia requested an Extraordinary Conference of States Parties to the Treaty on Conventional Armed Forces in Europe—the CFE Treaty—to discuss what Russia identified as ''exceptional circumstances'' that may lead them to suspend implementation of the treaty. Russia complains that most of their former Warsaw Pact allies have now joined NATO, significantly altering, in Russia's view, the ''balance'' of forces in Europe. This Extraordinary Conference is now under way in Vienna, Austria. What happens there will have tremendous implications for the security of Europe and for U.S.-Russian relations. Both sides must avoid actions that could lead to the potential unraveling of a treaty that has served as a cornerstone of European security since the end of the Cold War.

In 1990, the CFE was conceived as a mechanism to reduce post-Cold-War arsenals of conventional weapons in Europe and has evolved into a stabilizing influence through its wide range of agreed verification measures. This treaty should not be relegated to the dustbin of history. That is not in the interest of all European States, including Russia, nor of the United States.

The CFE Treaty was originally designed to limit the possibility of a surprise attack on Europe, when the Soviet Union and Warsaw Pact still existed. It imposes numerical limits on

major conventional military weapons—battle tanks, armored combat vehicles, artillery, combat aircraft, and attack helicopters—that can be deployed within Europe. These limits are verifiable through an extensive regime of inspections, transparency measures, and data exchanges. To be sure, since the Cold War ended, most countries, especially in central Europe, have reduced their levels of conventional weapons well below the limits specified by the treaty. Nonetheless, the verification measures that continue in place to the present day provide a level of openness and predictability important to the continued stability of Europe.

The ''exceptional circumstances'' referred to in Russia's request for an Extraordinary Conference of the CFE States Parties are of Russia's own making, and Russia holds the key to their resolution. At the end of the last decade, the CFE Treaty was updated to reflect post-Cold-War realities in Europe. The Adapted CFE Treaty was signed in 1999 at Istanbul, Turkey; however, it has not entered into force. Ratification of the treaty by the United States and its NATO allies will not occur until Russia implements two political commitments it made at the time of the treaty's signing.

In 1999, Russia pledged that it would fully withdraw its forces from the territories of Georgia and Moldova, which were part of the former Soviet Union. One of the CFE Treaty's fundamental tenets is that a nation must give its consent for the stationing or deployment of foreign military forces on its territory. NATO nations have insisted that Russia live up to this fundamental principle and abide by its commitments. In the Senate, we have made clear to administration officials that we would give advice and consent to ratification of the Adapted CFE Treaty's provisions only when and if Russia satisfied these commitments.

Russia has protested that its commitments regarding Georgia and Moldova were not related to the CFE Treaty. However, both the Georgian and Moldovan Governments have said repeatedly that they want Russian forces withdrawn from their territories. This has become a central issue in the CFE Treaty debate. Russia possesses the ability and the means to fulfill these commitments, needing only to close a single, largely abandoned Russian base in Georgia, and to withdraw a few hundred troops and an ammunition storage depot in Moldova. Russia has made progress in Georgia, but very little in Moldova since 2004.

The United States is prepared to find ways to work through its differences with Russia on important security issues in ways that recognize shared interests. Russia's threatened suspension of the CFE does not demonstrate a reciprocal view and could lead to the unraveling of the CFE Treaty itself. Nevertheless, the Extraordinary Conference can serve as an opportunity to modernize the Cold-War-era CFE Treaty in a direction that reflects the current security environment in Europe and one in which all parties can completely fulfill their commitments.

The administration's proposal to multilateralize the current Russian peacekeeping forces in Moldova, perhaps under the auspices of the NATO-Russia Council, merits serious consideration. In Georgia, Russia has already taken significant steps to reduce its troop presence the remaining steps are far less demanding but just as important. The Extraordinary Conference should offer a new beginning, rather than the beginning of the end.

The United States and its NATO Allies believe that the Adapted CFE Treaty offers the best path toward ensuring a Europe united and at peace, one in which Russia honors its commitments. If this were to occur, then, and only then, would the Senate Foreign Relations Committee and the United States Senate be likely to begin a careful, expeditious review leading to U.S. ratification of the Adapted CFE Treaty.

HONORING SENATE CHAPLAIN BARRY C. BLACK

Mr. CARDIN. Mr. President, Maryland is proud to honor its sons and daughters whose accomplishments touch the lives of others. We are particularly elated when an individual's talents and achievements are recognized throughout the Nation and beyond.

Chaplain Barry C. Black is one such Marylander, born and raised with five sisters and two brothers in Baltimore by a prudent and faithful mother, Pearline Black. He has penned his life story in a recent book titled, ''From the Hood to the Hill, '' stating that, ''in spite of unpromising beginnings, my siblings and I bucked the statistics and turned out fine (O)ne of the boys even became a two-star Navy admiral and the first African-American Navy chief of chaplains. Later, he was selected as the sixty-second chaplain of the United States Senate. I am that child.'' These are but a few of the stellar accomplishments in a life that serves as inspiration for us all.

Even though I have only been a Senator for 5 months, I have spent several mornings opening the Senate's sessions, and I am always inspired by Chaplain Black's serene manner, the conviction in his voice, the faith present in his life, and the ministry he has accepted. In addition to leading daily prayer before each session of the Senate, Chaplain Black and his dedicated staff conduct Bible studies and attend to the spiritual needs of our Nation's leaders and the thousands of staff members who work in the Senate. His invaluable leadership and service to our country are worthy of both recognition and celebration.

Mr. President, this afternoon the Senate Black Legislative Staff Caucus will honor the Reverend Barry C. Black, the Chaplain of the Senate, with a resolution and the presentation of a plaque honoring him for a distinguished career of leadership and service to the Senate and the larger community. I ask unanimous consent that the resolution be printed in the RECORD.

SENATE BLACK LEGISLATIVE STAFF CAUCUS RESOLUTION RECOGNIZING THE SERVICE OF CHAPLAIN BARRY C. BLACK, THE FIRST AFRICAN-AMERICAN CHAPLAIN OF THE UNITED STATES SENATE

Whereas Chaplain Black is a spiritual leader who, through his faith in GOD, overcame many obstacles that profoundly impacted him, taking his humble beginnings and used them to set his feet on higher ground;

Whereas Barry Black was born the fourth of eight children on All Saints Day, November 1, 1948 to parents Pearline Bull Black and Lester Clayton Black in Baltimore, Maryland;

Whereas Barry Black attended Pine Forge Academy and furthered his education, becoming an alumnus of Oakwood College, Andrews University, North Carolina Central University, Eastern Baptist Seminary, Salve Regina University, and United States International University (now Alliant International University);

Whereas Barry Black received Master's Degrees in Divinity, Counseling, and Management, a Doctorate degree in Ministry, and a Doctor of Philosophy degree in Psychology;

Whereas Barry Black married Brenda Pearsall on June 17, 1973, whom he met during his junior year at Oakwood College. They would later have three children: Barry II, Brendan, and Bradford;

Whereas Barry Black was commissioned in 1976 as chaplain in the United States Navy, eventually to become the Navy Chaplain Corps' first African-American Admiral, Deputy Chief of chaplains in 1997, and Chief of Navy Chaplains in 2000;

Whereas Barry Black was responsible for the spiritual care of servicemen from 190 religious traditions, advised and provided ministry to the Chief of Naval Operations, the Secretaries of the Navy and Defense, and the Commandants of the Marine Corps and Coast Guard;

Whereas Barry Black served in the U.S. Navy for 27 years, retiring on August 15, 2003;

Whereas Barry Black's personal decorations include the Legion of Merit Medal, Defense Meritorious Service Medal, Meritorious Service Medals (two awards), Navy and Marine Corps Commendation Medals (two awards), and numerous unit awards, campaign and service medals. He was also selected from one hundred twenty-seven nominees for the 1995 NAACP Renowned Service Award for his contribution to equal opportunity and civil rights;

Whereas on July 7, 2003, Barry Black was appointed as the 62nd Chaplain of the United States Senate by Senate Majority Leader Bill Frist (R-Tenn.), becoming the first African-American and the first Seventh-day Adventist to serve in this position: Now, therefore be it

Resolved, That the United States Senate Black Legislative Staff Caucus recognizes Chaplain Barry C. Black's exemplary achievements; his leadership and personal integrity in service to the United States Senate and the larger community; and his altruism and commitment to public service, touching the lives of many who bear witness to his spiritual leadership.

ADDITIONAL STATEMENTS

UGA WOMENS GYMNASTICS 2007 CHAMPIONS

• Mr. CHAMBLISS. Mr. President, today I wish to congratulate the women's gymnastics team from my alma mater, the University of Georgia, for winning the 2007 NCAA championship for the third straight year.

The Gym Dogs celebrated their threepeat championship and eighth national title as they earned the highest score of the finals in Salt Lake City, UT, on April 27, 2007, and completed their season with a final record of 31–2–1.

As an alumnus of this distinguished university, I am extremely proud of these talented women for all of their hard work and dedication that contributed to the championship scores that sealed their victory. I congratulate all of the team members and the women of the senior class, Adrienne Dishman, Kelsey Ericksen and Ashley Kupets, who gave 4 years of excellence to the Gym Dogs. Their leadership and talents will surely be missed. In addition, sophomore Courtney Kupets won her second straight National Individual All-Around title, and Courtney Kupets, Megan Dowlen, Marcia Newby, Tiffany Tolnay, Katie Heenan, Grace Taylor were all named first team All Americans. This is a remarkable program that will carry on its winning tradition with the outstanding strength of the remaining juniors, sophomores, and freshman members. Furthermore, I would like to extend my appreciation to all the families and fans for their continual support of the Gym Dogs throughout the season.

The success of the team could not have been achieved without the exceptional coaching staff, led by legendary head coach Suzanne Yoculan, the 2006 NCAA Coach of the Year. Coach Yoculan has been the head coach of the Gym Dogs since 1983 and has won 8 national championships, 15 conference championships, as well as being named National Coach of the Year four times.

Congratulations again to all of these young women for their great accomplishments and hard work.•

RETIREMENT OF DR. JAMES A. LAKE

• Mr. CRAIG. Mr. President, I wish to acknowledge a special milestone in the career of one of the truly great nuclear energy luminaries of our time. I am speaking of the retirement of Dr. James A. Lake of Idaho National Laboratory.

During his nearly quarter-century of service to Idaho National Laboratory—and by extension, to all of America—Dr. Lake has applied his exceptional technical and managerial expertise to some of this Nation's highest priority research and development initiatives in the nuclear energy arena. From leading the design team that developed an innovative ultra-high-flux research reactor concept early in his Idaho career, to guiding the establishment of the U.S./Russian International Centers for Environmental Safety later on, Dr. Lake's contributions have had an extraordinary impact.

As the elected president of the American Nuclear Society at the start of the 21st century, Dr. Lake did much to usher in the nuclear renaissance now sweeping the globe. In a single year, he personally visited 11 countries, a dozen universities, and more than 20 nuclear powerplants and nuclear facilities around the world. He also gave countless interviews with major television, newspaper, and magazine journalists—representing CNBC, the Wall Street Journal, the Washington Post, BusinessWeek and others—to help them better understand nuclear power's unique abilities to dependably generate massive amounts of electricity—around the clock, rain or shine—without generating any of the greenhouse gases that are now of such global concern.

Beyond his contributions to INL and the American Nuclear Society, Dr. Lake has also left his indelible mark of excellence on countless other organizations and activities ranging from the American Association of Engineering Societies to the International Nuclear Societies Council. He holds patents on ''An Inherently Safe Fast Breeder Reactor'' and other key nuclear technologies and has more than 35 publications in refereed journals and conference proceedings.

Dr. James A. Lake—scientist, research leader, nuclear energy visionary, and gentleman—leaves a legacy of growth, safety, and success in the nuclear programs at INL, for which the laboratory, the great State of Idaho, and the Nation will be forever grateful. I extend my best wishes to Dr. Lake as he retires from INL and moves on to the next chapter of his remarkable life.•

HOLLOMAN AIR FORCE BASE ANNIVERSARY

• Mr. DOMENICI. Mr. President, today I would like to commemorate the 65th anniversary of the founding of Holloman Air Force Base near Alamogordo, NM, on June 10, 1942.

Established 6 months after the entry of the United States into the Second World War, Holloman served as a training center for B–17, B–24, and B–29 bomber crews for the duration of that conflict. Over the course of the war, 20 bomber groups trained at Holloman before serving in the European and Pacific theaters of the war.

After the war, Holloman became the primary Air Force base for the testing and development of guided missiles and unmanned aircraft. Holloman was also the site of several notable events, including a 1954 rocket-propelled sled test that reached speeds of 632 miles per hour and earned Dr. John P. Stapp the title of ''Fastest Man Alive.'' Additionally, Holloman was the location of CPT Joseph W. Kittinger, Jr's, 102,800 feet skydive in 1960 that broke four world records and it was there that ENOS, the chimpanzee who made the first American animal orbital flight, received his training.

In 1968, a new era at Holloman began with the arrival of the 49th Tactical Fighter Wing. For the last 39 years, the 49th has called Holloman home and has flown F–4 Phantom IIs, F–15 Eagles and in 1992 became the only Air Force unit equipped with the F–117 Nighthawk, also known as the stealth fighter. Holloman also serves as the home to the German Air Force Tactical Training Center.

Today, Holloman is preparing for another major transition. As the F–117 is retired, the 49th will begin to receive new F–22 Raptors. Since its founding, Holloman has played an important role in the development of new technologies and has been home to the world's most advanced aircraft. Most importantly though, I believe it is the men and women who serve at Holloman who make it one of this country's premier military installations. I would like to thank all those who served and continue to serve at Holloman for their hard work and dedication. I have no doubt the work done at Holloman will continue to contribute to the national security of the United States for another 65 years.•

HONORING ROBERT M. LA FOLLETTE

• Mr. FEINGOLD. Mr. President, today I honor the extraordinary life of Robert M. La Follette, Sr. This week, on June 14, people around my home State of Wisconsin will mark the 152nd anniversary of La Follette's birth. Throughout his life, La Follette was revered for his tireless service to the people of Wisconsin and to the people of the United States. His dogged, full-steam-ahead approach to his life's work earned him the nickname ''Fighting Bob.''

Robert Marion La Follette, Sr., was born on June 14, 1855, in Primrose, a small town southwest of Madison in Dane County. He graduated from the University of Wisconsin Law School in 1879 and, after being admitted to the State bar, began his long career in public service as Dane County district attorney.

La Follette was elected to the House of Representatives in 1884, and he served three terms as a Member of that body, where he was a member of the Ways and Means Committee.

After losing his campaign for reelection in 1890, La Follette returned to Wisconsin and continued to serve the people of my State as a judge. Upon his exit from Washington, DC, a reporter wrote, La Follette ''is popular at home, popular with his colleagues, and popular in the House. He is so good a fellow that even his enemies like him.''

He was elected the 20th Governor of Wisconsin in 1900. He served in that office until 1906, when he stepped down in order to serve the people of Wisconsin in the Senate, where he remained until his death in 1925.

As a founder of the national progressive movement, La Follette championed progressive causes as Governor of Wisconsin and in the Congress. As Governor, he advanced an agenda that included the country's first workers' compensation system, direct election of Senators, and railroad rate and tax reforms. Collectively, these reforms would become known as the ''Wisconsin Idea.'' As Governor, La Follette also supported cooperation between the State and the University of Wisconsin.

His terms in the House of Representatives and the Senate were spent fighting for women's rights, working to limit the power of monopolies, and opposing pork-barrel legislation. La Follette also advocated electoral reforms, and he brought his support of the direct election of Senators to this body. His efforts were brought to fruition with the ratification of the 17th amendment in 1913. Fighting Bob also worked tirelessly to hold the Government accountable and was a key figure in exposing the Teapot Dome scandal.

La Follette earned the respect of such notable Americans as Frederick Douglass, Booker T. Washington and Harriet Tubman Upton for making civil rights one of his trademark issues. At a speech before the 1886 graduating class of Howard University, La Follette said:

> We are one people, one by truth, one almost by blood. Our lives run side by side, our ashes rest in the same soil. [Seize] the waiting world of opportunity. Separatism is snobbish stupidity, it is supreme folly, to talk of non-contact, or exclusion!

La Follette ran for President three times, twice as a Republican and once on the Progressive ticket. In 1924, as the Progressive candidate for President, La Follette garnered more than 17 percent of the popular vote and carried the State of Wisconsin.

La Follette's years of public service were not without controversy. In 1917, he filibustered a bill to allow the arming of U.S. merchant ships in response to a series of German submarine attacks. His filibuster was successful in blocking passage of this bill in the closing hours of the 64th Congress. Soon after, La Follette was one of only six Senators who voted against U.S. entry into World War I.

Fighting Bob was outspoken in his belief that the right to free speech did not end when war began. In the fall of 1917, La Follette gave a speech about the war in Minnesota, and he was misquoted in press reports as saying that he supported the sinking of the *Lusitania*. The Wisconsin State Legislature condemned his supposed statement as treason, and some of La Follette's Senate colleagues introduced a resolution to expel him. In response to this action, he delivered his seminal floor address, ''Free Speech in Wartime,'' on October 16, 1917. If you listen closely, you can almost hear his strong voice echoing through this chamber as he said:

> Mr. President, our government, above all others, is founded on the right of the people freely to discuss all matters pertaining to their government, in war not less than in peace, for in this government, the people are the rulers in war no less than in peace.

Of the expulsion petition filed against him, La Follette said:

> I am aware, Mr. President, that in pursuance of this general campaign of vilification and attempted intimidation, requests from various individuals and certain organizations have been submitted to the Senate for my expulsion from this body, and that such requests have been referred to and considered by one of the Committees of the Senate.
>
> If I alone had been made the victim of these attacks, I should not take one moment of the Senate's time for their consideration, and I believe that other Senators who have been unjustly and unfairly assailed, as I have been, hold the same attitude upon this that I do. Neither the clamor of the mob nor the voice of power will ever turn me by the breadth of a hair from the course I mark out for myself, guided by such knowledge as I can obtain and controlled and directed by a solemn conviction of right and duty.

This powerful speech led to a Senate investigation of whether La Follette's conduct constituted treason. In 1919, following the end of World War I, the Senate dropped its investigation and reimbursed La Follette for the legal fees he incurred as a result of the expulsion petition and corresponding investigation. This incident is indicative of Fighting Bob's commitment to his ideals and of his tenacious spirit.

La Follette died on June 18, 1925, in Washington, DC, while serving Wisconsin in this body. His daughter noted, ''His passing was mysteriously peaceful for one who had stood so long on the battle line.'' Mourners visited the Wisconsin Capitol to view his body and paid respects in a crowd nearing 50,000 people. La Follette's son, Robert M. La Follette, Jr., was appointed to his father's seat and went on to be elected in his own right and to serve in this body for more than 20 years, following the progressive path blazed by his father.

La Follette has been honored a number of times for his unwavering commitment to his ideals and for his service to the people of Wisconsin and of the United States.

During the 109th Congress, I was proud to support Senate passage of a bill introduced in the House of Representatives by Congresswoman TAMMY BALDWIN that named the post office at 215 Martin Luther King, Jr., Boulevard in Madison in La Follette's honor. I commend Congresswoman BALDWIN for her efforts to pass that bill, and I am pleased she is introducing House companion measures of the legislation I am introducing today in the Senate.

The Library of Congress recognized La Follette in 1985 by naming the Congressional Research Service reading room in the Madison Building in honor of both Fighting Bob and his son, Robert M. La Follette, Jr., for their shared commitment to the development of a legislative research service to support the Congress. In his autobiography, Fighting Bob noted that, as Governor of Wisconsin, he:

> made it a . . . policy to bring all the reserves of knowledge and inspiration of the university more fully to the service of the people. . . . Many of the university staff are now in state service, and a bureau of investigation and research established as a legislative reference library . . . has proved of the greatest assistance to the legislature in furnishing the latest and best thought of the advanced students of government in this and other countries.

He went on to call this service ''a model which the federal government and ultimately every state in the union will follow.'' Thus, the legislative reference service that La Follette created in Madison served as the basis for his work to create the Congressional Research Service at the Library of Congress.

The La Follette Reading Room was dedicated on March 5, 1985, the 100th anniversary of Fighting Bob being sworn in for his first term as a Member of Congress.

Across this magnificent Capitol in National Statuary Hall, Fighting Bob is forever immortalized in white marble, still proudly representing the State of Wisconsin. His statue resides in the Old House Chamber, now known as National Statuary Hall, among those of other notable figures who have made their marks in American history. One of the few seated statues is that of Fighting Bob. Though he is sitting, he is shown with one foot forward, and one hand on the arm of his chair, as if he is about to leap to his feet and begin a robust speech.

When then-Senator John F. Kennedy's five-member Special Committee on the Senate Reception Room chose La Follette as one of the ''Five Outstanding Senators'' whose portraits would hang outside of this chamber in the Senate reception room, he was described as being a ''ceaseless battler for the underprivileged'' and a ''courageous independent.'' Today, his painting still hangs just outside this chamber, where it bears witness to the proceedings of this body—and, perhaps, challenges his successors here to continue fighting for the social and Government reforms he championed.

Mr. President, to honor Robert M. La Follette, Sr., during the week of the anniversary of his birth, today I am introducing two pieces of legislation. I am pleased to be joined in this effort by the senior Senator from Wisconsin, Mr. KOHL; the senior Senator from Massachusetts, Mr. KENNEDY; and the junior Senator from Ohio, Mr. BROWN.

I am introducing a bill that would direct the Secretary of the Treasury to mint coins to commemorate Fighting Bob's life and legacy. The second bill that I am introducing today would authorize the President to posthumously award a gold medal on behalf of Congress to Robert M. La Follette, Sr. The

minting of a commemorative coin and the awarding of the Congressional Gold Medal would be fitting tributes to the memory of Robert M. La Follette, Sr., and to his deeply held beliefs and long record of service to his State and to his country. I hope that my colleagues will support these proposals.

Let us never forget Robert M. La Follette, Sr.'s character, his integrity, his deep commitment to progressive causes, and his unwillingness to waver from doing what he thought was right. The Senate has known no greater champion of the common man and woman, no greater enemy of corruption and cronyism, than ''Fighting Bob'' La Follette, and it is an honor to speak in the same Chamber and serve the same great State as he did.●

HONORING PHILIP M. KAISER

● Mr. FEINGOLD. Mr. President, I would like to take a moment to honor the memory of Philip Kaiser, a dear family friend who was also an outstanding public servant. In a career that spanned four decades, he served as an ambassador to four countries and as Assistant Secretary of Labor for International Affairs. He was a man of tremendous accomplishment who was sought out by U.S. Presidents, from Truman to Carter, for his unparalleled diplomatic skills.

While he served as Ambassador to Senegal in the early 1960s, he brokered a critical agreement with the Senegalese President that prevented Soviet aircraft from refueling there during the Cuban Missile Crisis, in case the Soviets tried to use aircraft to break the blockade. Later, when he served as Ambassador to Hungary during the Carter Administration, he negotiated the return of a powerful national symbol in Hungary, the Crown of St. Stephen, to the Hungarians after it had been held for safekeeping in the United States after World War II.

Ambassador Kaiser received his undergraduate degree at the University of Wisconsin and then studied at Oxford as a Rhodes Scholar. Those experiences undoubtedly influenced his career, and, as it turns out, they influenced my career as well. It was because Philip Kaiser went to the University of Wisconsin that he met my father, Leon Feingold. They became, and always remained, good friends. As I grew up, I got to know Ambassador Kaiser, and heard so much about him from my father. As a young man with an interest in public service and foreign affairs, I looked up to Ambassador Kaiser. In fact, one of the reasons I applied for a Rhodes Scholarship was because Ambassador Kaiser had been a Rhodes Scholar himself.

I am proud to have known Ambassador Kaiser and proud of his connection to my family. I am deeply saddened by his passing, and my thoughts are with his wife, his children and grandchildren, and his many friends during this difficult time. He left a lasting mark on this country and the world, and it is an honor to pay tribute to his memory today.●

HONORING KAY AND MARY KRAMER

● Mr. GRASSLEY. Mr. President, I wish to honor two remarkable Iowans. Kay and Mary Kramer of Clive, IA have served their local community, our great State of Iowa, and America well. They have set an example of civic service that all people should be proud to follow.

Mary has a distinguished record of service to our country. She was the U.S. Ambassador to Barbados and the Eastern Caribbean. Additionally, she served on the White House Commission on Presidential Scholars, honoring outstanding high school seniors each year for both their academic and artistic achievements.

Mary has also served her home State of Iowa well. She has done this through her work in the Iowa Senate where she was elected and reelected for more than a decade. While serving in the senate, Mary was chosen by her fellow senators to be President of the senate. Her election to this position of leadership is a testament to the respect Mary has earned from those who know her best.

Mary and her husband Kay make a great, civically-minded team. Kay was named as a West Des Moines Citizen of the Year and is an active volunteer in his community. He served on the West Des Moines Board of Human Services and is still active as an officer with the West Des Moines Rotary Club.

I am proud to call Kay and Mary Kramer friends, and I am happy to honor both of them here today. I appreciate their tireless efforts to serve Iowa and America. I hope that their good work, and lifetime of service, does not stop any time soon.●

HONORING CLAIRA MONIER

● Mr. SUNUNU. Mr. President, the senior Senator from New Hampshire, JUDD GREGG, and I wish to recognize the considerable achievements of Claira Monier, a Goffstown resident who recently announced her retirement after leading the New Hampshire Housing Finance Authority for nearly two decades.

Claira is a gold standard public servant. A New Hampshire native, she has devoted her life to improving her community, State and Nation. Moreover, in what limited spare time she has, Claira is someone to whom Senator GREGG and I can turn for steady counsel on policy—housing tax credits, bond caps, affordable housing—and politics. She is a rare and irreplaceable friend.

Whether in the classroom or leading efforts to expand access to housing or health care, Claira has demonstrated the highest commitment to service over a 40-year period. Although her record of achievement is well-known in New Hampshire, it is worth repeating here on the floor of the Senate.

From 1967 to 1974, she held teaching and administrative positions at New Hampshire College and St. Anselm College. Claira subsequently served for 5 years as the director of the New Hampshire State Council on Aging, completing her tenure in 1981.

Having demonstrated uncommon competence and creativity in these roles, Claira was selected as Region I Director of the U.S. Department of Health and Human Services. In 1988, she began her legendary career as executive director of the New Hampshire Housing Finance Authority—an organization on which she has left an indelible mark.

While working by day to support affordable housing and home ownership initiatives in New Hampshire, Claira managed to simultaneously bring her leadership skills to a number of nonprofit boards.

She served as a Director of the Federal Home Loan Bank of Boston from 1990 to 1992 and was a member of its Affordable Housing Advisory Council. She also found time to serve for 2 years as chairman of then-Governor Gregg's Commission on Health Care Costs and Availability, leaving the panel in 1991. Claira was board president of the National Council of State Housing Agencies and served as cochair of the Fannie Mae Housing Impact Advisory Council.

The list goes on: past chair of the Manchester Red Cross; former Southern New Hampshire University trustee; 2003 chair of the Heritage United Way Campaign; former chair of the New Hampshire Main Street Center; chair of New Hampshire's chapter of the American Lung Association; chair of the West High School endowment fund; member of the Dartmouth Hitchcock Healthcare System's assembly of overseers; and so on.

It is not exactly clear when, or if, Claira had time to sleep.

But this much is known: Claira is one of those special people who looks at her community and is able to see how she can make it better. She is not prone to idle thoughts. Rather than stand on the sidelines saying how the order of the world should be, Claira enters the arena with vigor and inspires people to achieve difficult objectives.

The results of her work can be seen across New Hampshire. For first-time homeowners in our State—or those who thought they might never be able to own a place of their own—it is likely that Claira's leadership at New Hampshire Housing had something to do with their securing a piece of the American dream. It is difficult to imagine work that is more hopeful.

There is no question that Claira leaves behind a rich legacy at New Hampshire Housing. Her successors, no doubt, share her commitment to that organization's mission and will continue the important work she has started. It should be noted, though,

that Senator GREGG and I will certainly miss working with her on critical issues that impact so many New Hampshire residents.

Claira may be retiring from her day job but in no way is she retiring from her community. Her knowledge of New Hampshire, her warm demeanor, and her strong leadership will continue to benefit the organizations she supports. Additionally, candidates—notably those seeking the highest office in the land—will turn to Claira for advice and counsel that only she can provide.

Claira is a good, true and loyal friend. A great citizen of New Hampshire, Senator GREGG and I extend our warm regards to Claira on the occasion of her retirement. We look forward to seeing her in the communities she has served and will serve.●

TRIBUTE TO PEARL D. WILLIAMS

● Mr. VITTER. Mr. President, I wish to acknowledge Councilwoman-at-large Pearl D. Williams of Slidell for being named volunteer of the year by the United Way of St. Tammany Parish. I would like to take some time to make a few remarks on her success and her contributions to Louisiana.

Councilwoman Williams has long enjoyed volunteering with various organizations in order to assist the community, especially needy children, and this award recognizes the hard work and success she has constantly rendered.

Councilwoman Williams has shown tireless dedication to the United Way. Williams has served on the St. Tammany United Way Leadership Council as a progressive, active fundraiser who helped establish various committees and celebrations in order to benefit different charities. She also served on the board of directors for the Children's Wish Endowment and as past president of the Slidell Memorial Hospital Women's Health Alliance, among many other great accolades.

Councilwoman Pearl D. Williams passed away of heart failure at the age of 64 on Thursday, May 17, 2007, at her residence. She is survived by not only proud family members but also the grateful city of Slidell who will never forget Councilwoman Williams' selfless acts of generosity and charity.

Thus, today, I rise to honor Councilwoman Pearl D. Williams so that more people can understand the kind of sacrifices she gave for others.●

RECOGNIZING LAITRAM, LLC

● Mr. VITTER. Mr. President, I wish to acknowledge Jay Lapeyre and Laitram, LLC, of New Orleans for receiving the Recognition of Excellence in Innovation certificate from the Louisiana Technology Council. I would also like to take a few moments to expand on Laitram, LLC, and their continued success.

The Louisiana Technology Council recently hosted their third annual awards council and the first since Hurricane Katrina. This certificate awards local and regional leaders in new technology throughout the United States who have created a new industrial advance or service in the last 12 months, operated a new, original manufacturing process, or have received a patent from the U.S. Patent and Trademark office for a recent technological discovery. More than 60 nominations were submitted from public and private sectors, institutions, and individuals.

J. M. Lapeyre, the designer of the original shrimp-peeling machine in 1946, founded Laitram, LLC, and completely transformed the shrimping industry. Since its inception, his descendants have continued to carry on this tradition of improvement and modernization. Over the past 5 years, Laitram has patented more than 60 new inventions, including 16 in 2006, illustrating Laitram's commitment to innovation and the best quality for its customers and the State of Louisiana. Specifically, the Intralox Series 400 Angled Roller conveyor belt has revolutionized the industry, allowing the replacement of older technology and maintaining Louisiana's package handling applications not only in food but in other industries as well. Therefore, I congratulate Jay Lapeyre and Laitram LLC on being an inspiration to business owners everywhere, and I wish them success.●

100TH ANNIVERSARY OF BOSSIER CITY, LOUISIANA

● Mr. VITTER. Mr. President, I wish to honor Bossier City, LA, which is celebrating its centennial anniversary, and I would like to take a few moments to publicly recognize their great history.

In the 1830s, the area of Bossier City originally encompassed the Elysian Groves Plantation of James Crane. Due to its proximity to the river, it quickly became a hotbed for trade and activity. By 1850, hundreds of wagons crossed through the vicinity on their way to the West; many settlers also stayed, realizing the land's fertile river valley and abundant farmland. Soon, interstate railway systems boomed, and Bossier became a growing metropolis. The farmers, realizing the area's potential, quickly began to sell plots of land as transportation flourished. Finally, in 1907, with its growing textile industry and expansive transportation system, Bossier City received official status as a city in Louisiana. Throughout its history, Bossier City has endured and survived many impediments, such as the great fire which consumed over half of the downtown area. In the late 1950s, Bossier was named the fastest growing city in Louisiana.

Bossier City began its centennial celebration on April 7 with the biggest birthday party that the city has ever witnessed on the banks of the city's foundation on the Red River. The initial festivities ranged from the opportunity to meet the city's oldest resident to a reception, with a 100-square-foot birthday cake. Throughout the year, the commemoration will continue with events from the American Cancer Society's Relay for Life to Barksdale Air Force Base. Over the year, residents and business owners in the city will be able to attend and plan activities that aid in representing the city's deep southern history and culture.

The centennial memorializes Bossier City's rise to one of the great cities of the State of Louisiana. Today, I want to congratulate Bossier City on the last 100 years, and I wish the residents luck and continued success and progress.●

MESSAGE FROM THE HOUSE

At 2:46 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that it has passed the act (S. 676) to provide that the Executive Director of the Inter-American Development Bank or the Alternative Executive Director of the Inter-American Development Bank may serve on the Board of Directors of the Inter-American Foundation, without amendment.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 65. An act to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

H.R. 1441. An act to strengthen controls on the export of surplus parts for F–14 fighter aircraft.

H.R. 2356. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 12, 2007, she had presented to the President of the United States the following enrolled bill:

S. 5. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 65. An act to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Indian Affairs.

H.R. 1441. An act to strengthen controls on the export of surplus parts for F–14 fighter aircraft; to the Committee on Armed Services.

H.R. 2356. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC–2227. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Israel; to the Committee on Banking, Housing, and Urban Affairs.

EC–2228. A communication from the General Deputy Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to the Department's plan for the future of its workforce; to the Committee on Banking, Housing, and Urban Affairs.

EC–2229. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Disclosure Requirements and Prohibitions Concerning Franchising, 16 CFR Part 436; Disclosure Requirements and Prohibitions Concerning Business Opportunities, 16 CFR Part 437'' (RIN3084–AA63) received on June 7, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2230. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semiannual Report of the Corporation's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2231. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Semiannual Report of the Department's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2232. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, the Semiannual Report of the Administration's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2233. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Semiannual Report of the Administration's Inspector General for the period ending March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2234. A communication from the Attorney General, transmitting, pursuant to law, the Semiannual Report of the Department's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2235. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report of the Department's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–114. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to provide resources to address the colony collapse disorder affecting honeybees; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION NO. 76

Whereas, Michigan and the nation's agricultural industry rely on honeybees to pollinate plants and enable the production of our nation's fruits, vegetables, seeds, and nuts. Honeybees pollinate at least 90 commercial crops and account for 80 percent of the nation's pollination services, providing $5 billion to $10 billion of direct benefits to United States agriculture; and

Whereas, honeybees in Michigan and 25 other states have succumbed to a mysterious ailment referred to as Colony Collapse Disorder, where honeybees abandon their hives. In affected states, beekeepers lost up to 50 percent of their colonies last winter, threatening Michigan's $383 million fruit industry and billions of dollars of agricultural production nationwide; and

Whereas, immediate research is needed to determine the cause of Colony Collapse Disorder and assistance to Support our nation's 135,000 beekeepers and the agriculture industry from this potentially crippling threat: now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide resources to address the Colony Collapse Disorder affecting honeybees; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation,

Adopted by the House of Representatives, May 22, 2007.

POM–115. A resolution adopted by the House of Representatives of the State of Michigan expressing opposition to Norfolk Southern Corporation's proposed sale of its rail line between Lansing and Jackson; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 96

Whereas, The Norfolk Southern Corporation is considering the sale of several Michigan lines, including the line that runs between Lansing and Jackson. Traffic on Michigan's rail lines has increased over the past two years. Expanding both freight and passenger rail service is being promoted as a solution to rising oil prices, pollution, and increased highway congestion. The sale or closure of rail lines could be counterproductive to efforts to improve Michigan's economy; and

Whereas, The Norfolk Southern lines are vital links between Michigan cities and between Michigan and neighboring states. Expanding rail capacity on the Lansing/Jackson line is essential to the future development of this area. New industry, including production plants for coal energy, biodiesel, and ethanol fuel, is proposed for Michigan and the railroad will play an integral role in moving products and supplies. Continued operation of this line by Norfolk Southern is essential to expansion of new industry in Michigan; and

Whereas, Norfolk Southern is a Class One railroad operator, earning revenue in excess of $250 million annually. As a Class One operator, Norfolk Southern has the capacity to maintain and promote the use of these lines. The proposed sale of the Lansing to Jackson line will almost certainly place the line under the management of a Class Three operator, a rail company earning revenue of $20 million or less annually. A Class Three operator may be far less likely to have the means to maintain the line, thus increasing the chance of accidents. Class Three operators also rely on federal grants for line and equipment maintenance—grants that are not always guaranteed; now, therefore, be it

Resolved by the House of Representatives, That we express opposition to Norfolk Southern's proposed sale of its rail line between Lansing and Jackson; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate; the Speaker of the United States House of Representatives; members of the Michigan congressional delegation; the United States Department of Transportation, Surface Transportation Board; the Norfolk Southern Corporation; AMTRAK; and the Michigan Department of Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 1591. A bill to amend the Internal Revenue Code of 1986 to allow full expensing for the cost of qualified refinery property in the year in which the property is placed in service, and to classify petroleum refining property as 5-year property for purposes of depreciation; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. VOINOVICH, Mr. OBAMA, and Mr. ALEXANDER):

S. 1592. A bill to reauthorize the Underground Railroad Educational and Cultural Program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, Mr. CONRAD, Mr. BINGAMAN, Ms. SNOWE, Mr. KERRY, Mrs. LINCOLN, Mr. SMITH, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. ROBERTS, and Mr. SALAZAR):

S. 1593. A bill to amend the Internal Revenue Code of 1986 to provide tax relief and protections to military personnel, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. INOUYE, Mr. SMITH, and Mr. STEVENS):

S. 1594. A bill to amend title 46, United States Code, to improve port safety and security for especially hazardous cargos, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 1595. A bill to amend title XVIII of the Social Security Act to provide flexibility in the manner in which beds are counted for purposes of determining whether a hospital may be designated as a critical access hospital under the Medicare program; to the Committee on Finance.

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. 1596. A bill to designate the facility of the United States Postal Service located at 103 South Getty Street in Uvalde, Texas, as the ''Dolph S. Briscoe, Jr. Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 1597. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COLEMAN (for himself, Mr. ENZI, and Mr. ISAKSON):

S. 1598. A bill to amend the Fair Labor Standards Act, with respect to civil penalties for child labor violations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HAGEL:

S. 1599. A bill to amend the National Energy Conservation Policy Act to provide for energy-related regulatory reform, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HAGEL:

S. 1600. A bill to establish an energy technologies innovation network, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HAGEL:

S. 1601. A bill to lower the effective tax rate on investment in necessary energy infrastructure and credits for renewable energy, and for other purposes; to the Committee on Finance.

By Mr. HAGEL:

S. 1602. A bill to improve the energy security of the United States by promoting diverse energy supplies and energy efficiency, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself, Mr. LEVIN, Mr. REID, Mr. OBAMA, Ms. STABENOW, and Mr. BROWNBACK):

S. Res. 231. A resolution recognizing the historical significance of Juneteenth Independence Day and expressing the sense of the Senate that history should be regarded as a means for understanding the past and solving the challenges of the future; to the Committee on the Judiciary.

By Mr. ALLARD (for himself and Mr. SALAZAR):

S. Res. 232. A resolution congratulating the University of Colorado at Boulder Men's Cross Country team for winning the 2006 National Collegiate Athletic Association Division I Men's Cross Country Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 57

At the request of Mr. INOUYE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 57, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 185

At the request of Mr. SPECTER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 225

At the request of Mr. CRAIG, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 225, a bill to amend title 38, United States Code, to expand the number of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers' Group Life Insurance.

S. 242

At the request of Mr. DORGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 242, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 251

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 251, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 294

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 294, a bill to reauthorize Amtrak, and for other purposes.

S. 329

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 455

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 455, a bill to amend the Internal Revenue Code of 1986 to provide tax relief to active duty military personnel and employers who assist them, and for other purposes.

S. 469

At the request of Mr. BAUCUS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 479

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 479, a bill to reduce the incidence of suicide among veterans.

S. 513

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 513, a bill to amend title 10, United States Code, to revive previous authority on the use of the Armed Forces and the militia to address interference with State or Federal law, and for other purposes.

S. 535

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 535, a bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes.

S. 648

At the request of Mr. CHAMBLISS, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 648, a bill to amend title 10, United States Code, to reduce the eligibility age for receipt of nonregular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods.

S. 696

At the request of Mr. BAUCUS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 696, a bill to establish an Advanced Research Projects Administration—Energy to initiate high risk, innovative energy research to improve the energy security of the United States, and for other purposes.

S. 713

At the request of Mr. OBAMA, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 713, a bill to ensure dignity in care for members of the Armed Forces recovering from injuries.

S. 773

At the request of Mr. WARNER, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 805

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 805, a bill to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment and prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, and for other purposes.

S. 819

At the request of Mr. DORGAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 836

At the request of Mr. LAUTENBERG, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 836, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.

S. 858

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 858, a bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters.

S. 901

At the request of Mr. KENNEDY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 911

At the request of Mr. REED, the names of the Senator from Indiana (Mr. BAYH), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 991

At the request of Mr. DURBIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 991, a bill to establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

S. 1078

At the request of Mrs. CLINTON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1078, a bill to amend the Internal Revenue Code of 1986 to provide incentives for employer-provided employee housing assistance, and for other purposes.

S. 1140

At the request of Mr. HAGEL, his name was added as a cosponsor of S. 1140, a bill to amend the Internal Revenue Code of 1986 to eliminate the limitation on the foreign earned income exclusion, and for other purposes.

S. 1212

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1212, a bill to amend title XVIII of the Social Security Act to permit direct payment under the Medicare program for clinical social worker services provided to residents of skilled nursing facilities.

S. 1224

At the request of Mr. ROCKEFELLER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1224, a bill to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program, and for other purposes.

S. 1244

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1244, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes.

S. 1271

At the request of Mr. OBAMA, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1271, a bill to provide for a comprehensive national research effort on the physical and mental health and other readjustment needs of the members of the Armed Forces and veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom and their families.

S. 1312

At the request of Mr. DEMINT, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1312, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 1357

At the request of Ms. MIKULSKI, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1357, a bill to amend the Law Enforcement Pay Equity Act of 2000 to permit certain annuitants of the retirement programs of the United States Park Police and United States Secret Service Uniformed Division to receive the adjustments in pension benefits to which such annuitants would otherwise be entitled as a result of the conversion of members of the United States Park Police and United States Secret Service Uniformed Division to a new salary schedule under the amendments made by such Act.

S. 1382

At the request of Mr. REID, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1431

At the request of Mr. BROWN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1431, a bill to provide for a statewide early childhood education professional development and career system, and for other purposes.

S. 1448

At the request of Mr. REED, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1448, a bill to extend the same Federal benefits to law enforcement officers serving private institutions of higher education and rail carriers that apply to law enforcement officers serving units of State and local government.

S. 1457

At the request of Mr. HARKIN, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1457, a bill to provide for the protection of mail delivery on certain postal routes, and for other purposes.

S. 1459

At the request of Mr. MENENDEZ, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1459, a bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes.

S. 1460

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1460, a bill to amend the Farm Security and Rural Development Act of 2002 to support beginning farmers and ranchers, and for other purposes.

S. 1492

At the request of Mr. INOUYE, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1492, a bill to improve the quality of federal and state data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.

S. 1500

At the request of Mrs. CLINTON, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1500, a bill to support democracy and human rights in Zimbabwe, and for other purposes.

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1500, supra.

S. 1518

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1518, a bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

S. 1529

At the request of Mr. HARKIN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1529, a bill to amend the Food Stamp Act of 1977 to end benefit erosion, support working families with child care expenses, encourage retirement and education savings, and for other purposes.

S. 1557

At the request of Mr. DODD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1557, a bill to amend part B of title IV of the Elementary and Secondary Education Act of 1965 to improve 21st Century Community Learning Centers.

S. CON. RES. 1

At the request of Mr. ALLARD, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Tennessee (Mr. CORKER), the Senator from Alaska (Mr. STEVENS), the Senator from Idaho (Mr. CRAIG), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. ISAKSON), the Senator from Arizona (Mr. KYL), the Senator from Mississippi (Mr. COCHRAN), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Minnesota (Mr. COLEMAN), the Senator from Texas (Mr. CORNYN), the Senator from Alabama (Mr. SESSIONS), the Senator from Louisiana (Mr. VITTER), the Senator from Utah (Mr. HATCH), the Senator from New Hampshire (Mr. GREGG), the Senator from Virginia (Mr. WARNER), the Senator from South Carolina (Mr. DEMINT), the Senator from Nevada (Mr. ENSIGN), the Senator from Mississippi (Mr. LOTT), the Senator from Iowa (Mr. GRASSLEY), the Senator from Kentucky (Mr. BUNNING), the Senator from New Mexico (Mr. DOMENICI), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. MCCAIN), the Senator from Idaho (Mr. CRAPO), the Senator from Kansas (Mr. ROBERTS) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Con. Res. 1, a concurrent resolution expressing the sense of Congress that an artistic tribute to commemorate the speech given by President Ronald Reagan at the Brandenburg Gate on June 12, 1987, should be placed within the United States Capitol.

S. CON. RES. 26

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. Con. Res. 26, a concurrent resolution recognizing the 75th anniversary of the Military Order of the Purple Heart and commending recipients of the Purple Heart for their courageous demonstrations of gallantry and heroism on behalf of the United States.

S. CON. RES. 27

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. Con. Res. 27, a concurrent resolution supporting the goals and ideals of ''National Purple Heart Recognition Day''.

S. RES. 213

At the request of Mr. CRAPO, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 213, a resolution supporting National Men's Health Week.

S. RES. 224

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. Res. 224, a resolution expressing the sense of the Senate regarding the Israeli-Palestinian peace process.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH:

S. 1591. A bill to amend the Internal Revenue Code of 1986 to allow full expensing for the cost of qualified refinery property in the year in which the property is placed in service, and to classify petroleum refining property as 5-year property for purposes of depreciation; to the Committee on Finance.

Mr. HATCH. Mr. President, today I rise to reintroduce my legislation, the Refinery Investment Tax Assistance Act, aimed at increasing refining capacity in this Nation. No one doubts that U.S. consumers and businesses will face another long hot summer of too high gas prices. There is general consensus among experts that a major bottleneck in U.S. refining capacity is a big part of the reason prices are so high. My bill will help resolve that problem.

As my colleagues know, the Government does not explore for, extract, transport, or refine oil in this country. Our Nation relies wholly on private industry to feed a very large domestic energy appetite. Unfortunately, the Government often stands in the way of industry in these activities. While many refiners would like to expand their capacity to refine oil, they face extraordinary costs from bureaucratic regulations that limit the available funding for such expansion. Because of this and other unfriendly economic factors, not a single new refinery has been built in the United States since 1976. In fact, we have lost nearly 200 refineries over that time period and now we badly need that refining capacity.

I authored a key provision of the Energy Policy Act of 2005, which is currently providing some incentives for new refining capacity. However, due to budgetary constraints, the tax incentives in my proposal were cut in half during the conference between the House and the Senate. I am confident that if we had known 2 years ago just how much of a bottleneck the refinery shortage would present in today's market, the full measure of my incentive would have been enacted.

The Refinery Investment Tax Assistance Act would restore those provisions I originally introduced, but which were later removed for budget reasons. First, it would increase the short-term incentive for the industry to build new refineries or to expand existing ones. As with the 2005 bill, S. 1591 would provide immediate expensing of 100 percent of the cost of new or expanded refineries in certain circumstances. As I said earlier, cost constraints forced us to limit this incentive in 2005 to 50 percent of expensing for refiners that were able to commit to installing new refining equipment before 2008. Under this bill, any added capacity would have to be placed in service by 2012 in order to qualify to write off the full cost of the expanded capacity in the first year.

The second part of S. 1591 would address the 10-year depreciation schedule for refining assets under our current tax law. This 10-year schedule is longer than the write-off period for much of the equipment used in other manufacturing industries, including the petrochemical industry. My bill would eliminate this disparity by shortening the depreciation schedule for refining assets from 10 years to 5. This unfair and unwarranted treatment of our refining industry acts as a long-term obstacle to new investment in increased capacity. I call on my colleagues to help me level the playing field on depreciation for this critically important sector of our energy industry.

I should also point out that this legislation would allow refineries to change only the timing of the depreciation of their equipment, but not the amount. Meanwhile, it would increase the size of our tax base by encouraging industry to build new refineries and increase capacity.

Testifying before the Senate Energy and Natural Resources Committee in 2005, Mr. Bob Slaughter of the National Petrochemical & Refiners Association said that an important solution to the energy crisis would be to ''expand the refining tax incentive provision in the Energy Act [and] reduce the depreciation period for refining investments from 10 to . . . five years in order to remove a current disincentive for refining investment.''

These changes are incorporated in the legislation I am introducing today.

Mr. Slaughter gave this testimony in the aftermath of hurricane Katrina. Every American has felt the effects of the storms on our energy sector. Refineries have been pummeled and, at one point, an unprecedented 25 percent of our Nation's refining capacity was taken offline. The rising gas prices hurt families' budgets, businesses that pay high travel expenses, and even school districts that must fuel buses to transport students. Once again, forecasters are predicting a terrible storm season this summer with hurricanes comparable to those of 2005.

We have learned that when it comes to our Nation's energy security, refining is where we are the most vulnerable. This legislation will help us deal with the energy crisis and make our Nation more secure from the attacks of Mother Nature and terrorists. I hope my colleagues will join me in pursuing the secure and independent refining program that this country truly needs. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Refinery Investment Tax Assistance Act of 2007''.

SEC. 2. FULL EXPENSING FOR QUALIFIED REFINERY PROPERTY.

(a) IN GENERAL.—Subsection (a) of section 179C of the Internal Revenue Code of 1986 (relating to election to expense certain refineries) is amended by striking ''50 percent of''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 1323 of the Energy Policy Act of 2005.

SEC. 3. PETROLEUM REFINING PROPERTY TREATED AS 5-YEAR PROPERTY.

(a) IN GENERAL.—Subparagraph (B) of section 168(e)(3) of the Internal Revenue Code of 1986 (relating to 5-year property) is amended by striking ''and'' at the end of clause (v), by striking the period at the end of clause (vi)(III) and inserting '', and'', and by adding at the end the following new clause:

''(vii) any petroleum refining property.''.

(b) PETROLEUM REFINING PROPERTY.—Section 168(i) of such Code is amended by adding at the end the following new paragraph:

''(18) PETROLEUM REFINING PROPERTY.—

''(A) IN GENERAL.—The term 'petroleum refining property' means any asset for petroleum refining, including assets used for the distillation, fractionation, and catalytic cracking of crude petroleum into gasoline and its other components.

''(B) ASSET MUST MEET ENVIRONMENTAL LAWS.—Such term shall not include any property which does not meet all applicable environmental laws in effect on the date such property was placed in service. For purposes of the preceding sentence, a waiver under the Clean Air Act shall not be taken into account in determining whether the applicable environmental laws have been met.

''(C) SPECIAL RULE FOR MERGERS AND ACQUISITIONS.—Such term shall not include any property with respect to which a deduction was taken under subsection (e)(3)(B) by any other taxpayer in any preceding year.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

(2) EXCEPTION.—The amendments made by this section shall not apply to any property with respect to which the taxpayer has entered into a binding contract for the construction thereof on or before the date of the enactment of this Act.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, Mr. CONRAD, Mr. BINGAMAN, Ms. SNOWE, Mr. KERRY, Mrs. LINCOLN, Mr. SMITH, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. ROBERTS, and Mr. SALAZAR):

S. 1593. A bill to amend the Internal Revenue Code of 1986 to provide tax relief and protections to military personnel, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Mr. President, this week, we celebrate Flag Day, and in a few weeks we will celebrate the Fourth of July.

We ask a lot from our men and women in the armed services, and their sacrifices are essential to protecting our freedom here at home. One way to support them is to make the Tax Code a little friendlier to the troops.

That is why I am introducing the Defenders of Freedom Tax Relief Act of 2007. This bill would extend the tax rules favoring the military that expire in 2007 and 2008. It would also eliminate roadblocks in the current tax laws that present difficulties for veterans and servicemembers.

Our troops should fight against our Nation's enemies, not our Nation's Tax Code. Family members of fallen soldiers killed in the line of duty receive a death benefit of $100,000. But the Tax Code restricts the survivors from contributing this benefit into a tax-favored retirement account. My bill would exempt this benefit from the current restrictions on contribution amounts and income limitations. That way, the family members of fallen soldiers could take advantage of tax-favored Roth IRA accounts.

Lower ranking, lower income soldiers do most of the heavy lifting in combat situations. Under the current Tax Code, their income is not counted in computing the earned income tax credit, or EITC. The EITC is a beneficial tax provision available to working Americans. It makes no sense to deny it to our troops. My bill would count combat duty income for EITC purposes, and it would make this change to the Tax Code permanent.

My bill would also eliminate the confusion that surrounds State gifts to servicemembers. Military members should not be caught in the crossfire of competing Tax Code interpretations.

Another hazard facing our troops in the Tax Code is the statute of limitations for filing a tax refund. Most Veterans' Administration disability claims filed by veterans are quickly resolved. But thousands of disability awards are delayed due to lost paperwork or the appeals of rejected claims. Once a disabled veteran finally gets a favorable award, the good news is that the disability award is tax-free. But many of these disabled veterans get ambushed by a statute that bars them from filing a tax refund claim. My bill would give disabled veterans in this situation an extra year to claim their tax refunds.

Our men and women in uniform provide an invaluable service to our country. They, along with their families, make sacrifices and live a demanding lifestyle. The Tax Code should not add to their hardships as they move from assignment to assignment around the globe.

Protecting American interests around the world requires most of our troops to move a number of times during their career. Restricting favorable mortgage bond financing to only first-time homebuyers does not make much sense for them. Therefore, my bill would eliminate this restriction for veterans who served in the active military.

The bill would make permanent a provision that allows intelligence community employees to make use of the exclusion of gain on the sale of their home when they are assigned overseas or 50 miles away from their home.

A soldier's rucksack is heavy enough as it is without piling tax paperwork on top of it. My bill would help reduce paperwork.

My bill would treat differential pay as wages. This would make it easer for employers to contribute to a reservist's retirement plans. And it would eliminate the reservist's need to make estimated tax payments.

My bill would also make permanent certain taxpayer information reporting rules, so that the Social Security Administration and the Veterans' Administration could facilitate the administration of veteran needs-based pension and compensation programs.

A further roadblock for military service men and women is the 10-percent penalty triggered for early withdrawal from a qualified retirement plan. If reservists are called to active duty, the last thing that they should have to worry about is their 401(k) plan or IRA account. This provision would permit penalty-free early withdrawal. And it would give reservists 2 years from the time that they stop active duty to roll over their IRAs or 401(k) plans.

Small business employers are being asked to make sacrifices here at home. My bill would help.

Mobilization of Reserve personnel creates unexpected employee absences. This hits small businesses especially hard. Some employers voluntarily take on the added burden of eliminating any pay gap experienced by their reservist-employees. These employers pay the difference between the civilian salary and the military pay. In recognition of their patriotism, my bill would provide small businesses with fewer than 50 employees a tax credit of 20 percent of the differential pay, up to $20,000, for those small businesses that make differential payments to reservists called up to active duty.

This bill is fully paid for with a change in the Tax Code that makes sure that anyone relinquishing their U.S. citizenship is still on the hook to pay their fair share of U.S. taxes.

We owe the Americans fighting in our Armed Forces an enormous debt of gratitude. These important tax reforms are one small way of saluting them for all that they do. I urge my colleagues to join me in supporting this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''Defenders of Freedom Tax Relief Act of 2007''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in

this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. EXTENSION OF STATUTE OF LIMITATIONS TO FILE CLAIMS FOR REFUNDS RELATING TO DISABILITY DETERMINATIONS BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subsection (d) of section 6511 (relating to special rules applicable to income taxes) is amended by adding at the end the following new paragraph:

''(8) SPECIAL RULES WHEN UNIFORMED SERVICES RETIRED PAY IS REDUCED AS A RESULT OF AWARD OF DISABILITY COMPENSATION.—

''(A) PERIOD OF LIMITATION ON FILING CLAIM.—If the claim for credit or refund relates to an overpayment of tax imposed by subtitle A on account of—

''(i) the reduction of uniformed services retired pay computed under section 1406 or 1407 of title 10, United States Code, or

''(ii) the waiver of such pay under section 5305 of title 38 of such Code,

as a result of an award of compensation under title 38 of such Code pursuant to a determination by the Secretary of Veterans Affairs, the 3-year period of limitation prescribed in subsection (a) shall be extended, for purposes of permitting a credit or refund based upon the amount of such reduction or waiver, until the end of the 1-year period beginning on the date of such determination.

''(B) LIMITATION TO 5 TAXABLE YEARS.—Subparagraph (A) shall not apply with respect to any taxable year which began more than 5 years before the date of such determination.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to claims for credit or refund filed after the date of the enactment of this Act.

(c) TRANSITION RULES.—In the case of a determination described in paragraph (8) of section 6511(d) of the Internal Revenue Code of 1986 (as added by this section) which is made by the Secretary of Veterans Affairs after December 31, 2000, and on or before the date of the enactment of this Act, such paragraph—

(1) shall not apply with respect to any taxable year which began before January 1, 2001, and

(2) shall be applied by substituting ''the date of the enactment of the Defenders of Freedom Tax Relief Act of 2007'' for ''the date of such determination'' in subparagraph (A) thereof.

SEC. 3. PERMANENT EXTENSION OF ELECTION TO TREAT COMBAT PAY AS EARNED INCOME FOR PURPOSES OF EARNED INCOME CREDIT.

(a) IN GENERAL.—Clause (vi) of section 32(c)(2)(B) (defining earned income) is amended to read as follows:

''(vi) a taxpayer may elect to treat amounts excluded from gross income by reason of section 112 as earned income.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2007.

SEC. 4. TREATMENT OF DIFFERENTIAL MILITARY PAY AS WAGES.

(a) INCOME TAX WITHHOLDING ON DIFFERENTIAL WAGE PAYMENTS.—

(1) IN GENERAL.—Section 3401 (relating to definitions) is amended by adding at the end the following new subsection:

''(h) DIFFERENTIAL WAGE PAYMENTS TO ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.—

''(1) IN GENERAL.—For purposes of subsection (a), any differential wage payment shall be treated as a payment of wages by the employer to the employee.

''(2) DIFFERENTIAL WAGE PAYMENT.—For purposes of paragraph (1), the term 'differential wage payment' means any payment which—

''(A) is made by an employer to an individual with respect to any period during which the individual is performing service in the uniformed services while on active duty for a period of more than 30 days, and

''(B) represents all or a portion of the wages the individual would have received from the employer if the individual were performing service for the employer.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to remuneration paid after December 31, 2007.

(b) TREATMENT OF DIFFERENTIAL WAGE PAYMENTS FOR RETIREMENT PLAN PURPOSES.—

(1) PENSION PLANS.—

(A) IN GENERAL.—Section 414(u) (relating to special rules relating to veterans' reemployment rights under USERRA) is amended by adding at the end the following new paragraph:

''(11) TREATMENT OF DIFFERENTIAL WAGE PAYMENTS.—

''(A) IN GENERAL.—Except as provided in this paragraph, for purposes of applying this title to a retirement plan to which this subsection applies—

''(i) an individual receiving a differential wage payment shall be treated as an employee of the employer making the payment,

''(ii) the differential wage payment shall be treated as compensation, and

''(iii) the plan shall not be treated as failing to meet the requirements of any provision described in paragraph (1)(C) by reason of any contribution or benefit which is based on the differential wage payment.

''(B) SPECIAL RULE FOR DISTRIBUTIONS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A)(i), for purposes of section 401(k)(2)(B)(i)(I), 403(b)(7)(A)(ii), 403(b)(11)(A), or 457(d)(1)(A)(ii), an individual shall be treated as having been severed from employment during any period the individual is performing service in the uniformed services described in section 3401(h)(2)(A).

''(ii) LIMITATION.—If an individual elects to receive a distribution by reason of clause (i), the plan shall provide that the individual may not make an elective deferral or employee contribution during the 6-month period beginning on the date of the distribution.

''(C) NONDISCRIMINATION REQUIREMENT.—Subparagraph (A)(iii) shall apply only if all employees of an employer (as determined under subsections (b), (c), (m), and (o)) performing service in the uniformed services described in section 3401(h)(2)(A) are entitled to receive differential wage payments on reasonably equivalent terms and, if eligible to participate in a retirement plan maintained by the employer, to make contributions based on the payments on reasonably equivalent terms. For purposes of applying this subparagraph, the provisions of paragraphs (3), (4), and (5) of section 410(b) shall apply.

''(D) DIFFERENTIAL WAGE PAYMENT.—For purposes of this paragraph, the term 'differential wage payment' has the meaning given such term by section 3401(h)(2).''.

(B) CONFORMING AMENDMENT.—The heading for section 414(u) is amended by inserting ''AND TO DIFFERENTIAL WAGE PAYMENTS TO MEMBERS ON ACTIVE DUTY'' after ''USERRA''.

(2) DIFFERENTIAL WAGE PAYMENTS TREATED AS COMPENSATION FOR INDIVIDUAL RETIREMENT PLANS.—Section 219(f)(1) (defining compensation) is amended by adding at the end the following new sentence: ''The term 'compensation' includes any differential wage payment (as defined in section 3401(h)(2)).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2007.

(c) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any plan or annuity contract amendment—

(A) such plan or contract shall be treated as being operated in accordance with the terms of the plan or contract during the period described in paragraph (2)(B)(i), and

(B) except as provided by the Secretary of the Treasury, such plan shall not fail to meet the requirements of the Internal Revenue Code of 1986 or the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(2) AMENDMENTS TO WHICH SECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any amendment made by this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2009.

(B) CONDITIONS.—This subsection shall not apply to any plan or annuity contract amendment unless—

(i) during the period beginning on the date the amendment described in subparagraph (A)(i) takes effect and ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(ii) such plan or contract amendment applies retroactively for such period.

SEC. 5. PERMANENT EXTENSION OF PENALTY-FREE WITHDRAWALS FROM RETIREMENT PLANS BY INDIVIDUAL CALLED TO ACTIVE DUTY.

Clause (iv) of section 72(t)(2)(G) (relating to distributions from retirement plans to individuals called to active duty) is amended by striking all after ''September 11, 2001'' and inserting a period.

SEC. 6. STATE PAYMENTS TO SERVICE MEMBERS TREATED AS QUALIFIED MILITARY BENEFITS.

(a) IN GENERAL.—Section 134(b) (defining qualified military benefit) is amended by adding at the end the following new paragraph:

''(6) CERTAIN STATE PAYMENTS.—The term 'qualified military benefit' includes any bonus payment by a State or political subdivision thereof to any member or former member of the uniformed services of the United States or any dependent of such member only by reason of such member's service in an combat zone (as defined in section 112(c)(2), determined without regard to the parenthetical).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made before, on, or after the date of the enactment of this Act.

SEC. 7. PERMANENT EXTENSION OF DISCLOSURE AUTHORITY TO DEPARTMENT OF VETERANS AFFAIRS.

Section 6103(l)(7)(D) (relating to program to which rule applies) is amended by striking the last sentence.

SEC. 8. THREE-YEAR EXTENSION OF QUALIFIED MORTGAGE BOND PROGRAM RULES FOR VETERANS.

Section 143(d)(2)(D) (relating to exception) is amended by striking ''January 1, 2008'' and inserting ''January 1, 2011''.

SEC. 9. PERMANENT EXCLUSION OF GAIN FROM SALE OF A PRINCIPAL RESIDENCE BY CERTAIN EMPLOYEES OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Section 417(e) of division A of the Tax Relief and Health Care Act of 2006 is amended by striking ''and before January 1, 2011''.

(b) DUTY STATION MAY BE OUTSIDE UNITED STATES.—

(1) IN GENERAL.—Section 121(d)(9)(C) (defining qualified official extended duty) is amended by striking clause (vi).

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to sales or exchanges after the date of the enactment of this Act.

SEC. 10. CONTRIBUTIONS OF MILITARY DEATH GRATUITIES TO ROTH IRAS.

(a) PROVISION IN EFFECT BEFORE PENSION PROTECTION ACT.—Subsection (e) of section 408A (relating to qualified rollover contribution), as in effect before the amendments made by section 824 of the Pension Protection Act of 2006, is amended to read as follows:

''(e) QUALIFIED ROLLOVER CONTRIBUTION.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified rollover contribution' means a rollover contribution to a Roth IRA from another such account, or from an individual retirement plan, but only if such rollover contribution meets the requirements of section 408(d)(3). Such term includes a rollover contribution described in section 402A(c)(3)(A). For purposes of section 408(d)(3)(B), there shall be disregarded any qualified rollover contribution from an individual retirement plan (other than a Roth IRA) to a Roth IRA.

''(2) MILITARY DEATH GRATUITY.—

''(A) IN GENERAL.—The term 'qualified rollover contribution' includes a contribution to a Roth IRA maintained for the benefit of an individual to the extent that such contribution does not exceed the amount received by such individual under section 1477 of title 10, United States Code, or under section 1967 of title 38 of such Code, if such contribution is made not later than 1 year after the day on which such individual receives such amount.

''(B) ANNUAL LIMIT ON NUMBER OF ROLLOVERS NOT TO APPLY.—Section 408(d)(3)(B) shall not apply with respect to amounts treated as a rollover by the subparagraph (A).

''(C) APPLICATION OF SECTION 72.—For purposes of applying section 72 in the case of a distribution which is not a qualified distribution, the amount treated as a rollover by reason of subparagraph (A) shall be treated as investment in the contract.''.

(b) PROVISION IN EFFECT AFTER PENSION PROTECTION ACT.—Subsection (e) of section 408A, as in effect after the amendments made by section 824 of the Pension Protection Act of 2006, is amended to read as follows:

''(e) QUALIFIED ROLLOVER CONTRIBUTION.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified rollover contribution' means a rollover contribution—

''(A) to a Roth IRA from another such account,

''(B) from an eligible retirement plan, but only if—

''(i) in the case of an individual retirement plan, such rollover contribution meets the requirements of section 408(d)(3), and

''(ii) in the case of any eligible retirement plan (as defined in section 402(c)(8)(B) other than clauses (i) and (ii) thereof), such rollover contribution meets the requirements of section 402(c), 403(b)(8), or 457(e)(16), as applicable.

For purposes of section 408(d)(3)(B), there shall be disregarded any qualified rollover contribution from an individual retirement plan (other than a Roth IRA) to a Roth IRA.

''(2) MILITARY DEATH GRATUITY.—

''(A) IN GENERAL.—The term 'qualified rollover contribution' includes a contribution to a Roth IRA maintained for the benefit of an individual to the extent that such contribution does not exceed the amount received by such individual under section 1477 of title 10, United States Code, or under section 1967 of title 38 of such Code, if such contribution is made not later than 1 year after the day on which such individual receives such amount.

''(B) ANNUAL LIMIT ON NUMBER OF ROLLOVERS NOT TO APPLY.—Section 408(d)(3)(B) shall not apply with respect to amounts treated as a rollover by the subparagraph (A).

''(C) APPLICATION OF SECTION 72.—For purposes of applying section 72 in the case of a distribution which is not a qualified distribution, the amount treated as a rollover by reason of subparagraph (A) shall be treated as investment in the contract.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided by paragraphs (2) and (3), the amendments made by this section shall apply with respect to deaths from injuries occurring on or after the date of the enactment of this Act.

(2) APPLICATION OF AMENDMENTS TO DEATHS FROM INJURIES OCCURRING ON OR AFTER OCTOBER 7, 2001, AND BEFORE ENACTMENT.—The amendments made by this section shall apply to any contribution made pursuant to section 408A(e)(2) of the Internal Revenue Code of 1986, as amended by this Act, with respect to amounts received under section 1477 of title 10, United States Code, or under section 1967 of title 38 of such Code, for deaths from injuries occurring on or after October 7, 2001, and before the date of the enactment of this Act if such contribution is made not later than 1 year after the date of the enactment of this Act.

(3) PENSION PROTECTION ACT CHANGES.—Section 408A(e)(1) of the Internal Revenue Code of 1986 (as in effect after the amendments made by subsection (b)) shall apply to taxable years beginning after December 31, 2007.

SEC. 11. CREDIT FOR EMPLOYER DIFFERENTIAL WAGE PAYMENTS TO EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business credits) is amended by adding at the end the following new section:

''SEC. 45O. EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

''(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible small business employer, the differential wage payment credit for any taxable year is an amount equal to 20 percent of the sum of the eligible differential wage payments for each of the qualified employees of the taxpayer during such taxable year.

''(b) DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE DIFFERENTIAL WAGE PAYMENTS.—The term 'eligible differential wage payments' means, with respect to each qualified employee, so much of the differential wage payments (as defined in section 3401(h)(2)) paid to such employee for the taxable year as does not exceed $20,000.

''(2) QUALIFIED EMPLOYEE.—The term 'qualified employee' means a person who has been an employee of the taxpayer for the 91-day period immediately preceding the period for which any differential wage payment is made.

''(3) ELIGIBLE SMALL BUSINESS EMPLOYER.—

''(A) IN GENERAL.—The term 'eligible small business employer' means, with respect to any taxable year, any employer which—

''(i) employed an average of less that 50 employees on business days during such taxable year, and

''(ii) under a written plan of the employer, provides eligible differential wage payments to every qualified employee of the employer.

''(B) CONTROLLED GROUPS.—For purposes of subparagraph (A), all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer.

''(c) COORDINATION WITH OTHER CREDITS.—The amount of credit otherwise allowable under this chapter with respect to compensation paid to any employee shall be reduced by the credit determined under this section with respect to such employee.

''(d) DISALLOWANCE FOR FAILURE TO COMPLY WITH EMPLOYMENT OR REEMPLOYMENT RIGHTS OF MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES.—No credit shall be allowed under subsection (a) to a taxpayer for—

''(1) any taxable year, beginning after the date of the enactment of this section, in which the taxpayer is under a final order, judgment, or other process issued or required by a district court of the United States under section 4323 of title 38 of the United States Code with respect to a violation of chapter 43 of such title, and

''(2) the 2 succeeding taxable years.

''(e) CERTAIN RULES TO APPLY.—For purposes of this section, rules similar to the rules of subsections (c), (d), and (e) of section 52 shall apply.

''(f) TERMINATION.—This section shall not apply to any payments made after December 31, 2009.''.

(b) CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) (relating to general business credit) is amended by striking ''plus'' at the end of paragraph (30), by striking the period at the end of paragraph (31) and inserting '', plus'', and by adding at the end of following new paragraph:

''(32) the differential wage payment credit determined under section 45O(a).''.

(c) NO DEDUCTION FOR COMPENSATION TAKEN INTO ACCOUNT FOR CREDIT.—Section 280C(a) (relating to rule for employment credits) is amended by inserting ''45O(a),'' after ''45A(a),''.

(d) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

''Sec. 45O. Employer wage credit for employees who are active duty members of the uniformed services.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid after the date of the enactment of this Act.

SEC. 12. REVISION OF TAX RULES ON EXPATRIATION OF INDIVIDUALS.

(a) IN GENERAL.—Subpart A of part II of subchapter N of chapter 1 is amended by inserting after section 877 the following new section:

''SEC. 877A. TAX RESPONSIBILITIES OF EXPATRIATION.

''(a) GENERAL RULES.—For purposes of this subtitle—

''(1) MARK TO MARKET.—Except as provided in subsections (d) and (f), all property of a covered expatriate to whom this section applies shall be treated as sold on the day before the expatriation date for its fair market value.

''(2) RECOGNITION OF GAIN OR LOSS.—In the case of any sale under paragraph (1)—

''(A) notwithstanding any other provision of this title, any gain arising from such sale shall be taken into account for the taxable year of the sale, and

''(B) any loss arising from such sale shall be taken into account for the taxable year of the sale to the extent otherwise provided by this title, except that section 1091 shall not apply to any such loss.

Proper adjustment shall be made in the amount of any gain or loss subsequently realized for gain or loss taken into account under the preceding sentence.

''(3) EXCLUSION FOR CERTAIN GAIN.—

''(A) IN GENERAL.—The amount which, but for this paragraph, would be includible in the gross income of any individual by reason of this section shall be reduced (but not below zero) by $600,000. For purposes of this paragraph, allocable expatriation gain taken into account under subsection (f)(2) shall be treated in the same manner as an amount required to be includible in gross income.

''(B) COST-OF-LIVING ADJUSTMENT.—

''(i) IN GENERAL.—In the case of an expatriation date occurring in any calendar year after 2007, the $600,000 amount under subparagraph (A) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year, determined by substituting 'calendar year 2006' for 'calendar year 1992' in subparagraph (B) thereof.

''(ii) ROUNDING RULES.—If any amount after adjustment under clause (i) is not a multiple of $1,000, such amount shall be rounded to the next lower multiple of $1,000.

''(4) ELECTION TO CONTINUE TO BE TAXED AS UNITED STATES CITIZEN.—

''(A) IN GENERAL.—If a covered expatriate elects the application of this paragraph—

''(i) this section (other than this paragraph and subsection (i)) shall not apply to the expatriate, but

''(ii) in the case of property to which this section would apply but for such election, the expatriate shall be subject to tax under this title in the same manner as if the individual were a United States citizen.

''(B) REQUIREMENTS.—Subparagraph (A) shall not apply to an individual unless the individual—

''(i) provides security for payment of tax in such form and manner, and in such amount, as the Secretary may require,

''(ii) consents to the waiver of any right of the individual under any treaty of the United States which would preclude assessment or collection of any tax which may be imposed by reason of this paragraph, and

''(iii) complies with such other requirements as the Secretary may prescribe.

''(C) ELECTION.—An election under subparagraph (A) shall apply to all property to which this section would apply but for the election and, once made, shall be irrevocable. Such election shall also apply to property the basis of which is determined in whole or in part by reference to the property with respect to which the election was made.

''(b) ELECTION TO DEFER TAX.—

''(1) IN GENERAL.—If the taxpayer elects the application of this subsection with respect to any property treated as sold by reason of subsection (a), the payment of the additional tax attributable to such property shall be postponed until the due date of the return for the taxable year in which such property is disposed of (or, in the case of property disposed of in a transaction in which gain is not recognized in whole or in part, until such other date as the Secretary may prescribe).

''(2) DETERMINATION OF TAX WITH RESPECT TO PROPERTY.—For purposes of paragraph (1), the additional tax attributable to any property is an amount which bears the same ratio to the additional tax imposed by this chapter for the taxable year solely by reason of subsection (a) as the gain taken into account under subsection (a) with respect to such property bears to the total gain taken into account under subsection (a) with respect to all property to which subsection (a) applies.

''(3) TERMINATION OF POSTPONEMENT.—No tax may be postponed under this subsection later than the due date for the return of tax imposed by this chapter for the taxable year which includes the date of death of the expatriate (or, if earlier, the time that the security provided with respect to the property fails to meet the requirements of paragraph (4), unless the taxpayer corrects such failure within the time specified by the Secretary).

''(4) SECURITY.—

''(A) IN GENERAL.—No election may be made under paragraph (1) with respect to any property unless adequate security is provided to the Secretary with respect to such property.

''(B) ADEQUATE SECURITY.—For purposes of subparagraph (A), security with respect to any property shall be treated as adequate security if—

''(i) it is a bond in an amount equal to the deferred tax amount under paragraph (2) for the property, or

''(ii) the taxpayer otherwise establishes to the satisfaction of the Secretary that the security is adequate.

''(5) WAIVER OF CERTAIN RIGHTS.—No election may be made under paragraph (1) unless the taxpayer consents to the waiver of any right under any treaty of the United States which would preclude assessment or collection of any tax imposed by reason of this section.

''(6) ELECTIONS.—An election under paragraph (1) shall only apply to property described in the election and, once made, is irrevocable. An election may be made under paragraph (1) with respect to an interest in a trust with respect to which gain is required to be recognized under subsection (f)(1).

''(7) INTEREST.—For purposes of section 6601—

''(A) the last date for the payment of tax shall be determined without regard to the election under this subsection, and

''(B) section 6621(a)(2) shall be applied by substituting '5 percentage points' for '3 percentage points' in subparagraph (B) thereof.

''(c) COVERED EXPATRIATE.—For purposes of this section—

''(1) IN GENERAL.—Except as provided in paragraph (2), the term 'covered expatriate' means an expatriate.

''(2) EXCEPTIONS.—An individual shall not be treated as a covered expatriate if—

''(A) the individual—

''(i) became at birth a citizen of the United States and a citizen of another country and, as of the expatriation date, continues to be a citizen of, and is taxed as a resident of, such other country, and

''(ii) has not been a resident of the United States (as defined in section 7701(b)(1)(A)(ii)) during the 5 taxable years ending with the taxable year during which the expatriation date occurs, or

''(B)(i) the individual's relinquishment of United States citizenship occurs before such individual attains age 18½, and

''(ii) the individual has been a resident of the United States (as so defined) for not more than 5 taxable years before the date of relinquishment.

''(d) EXEMPT PROPERTY; SPECIAL RULES FOR PENSION PLANS.—

''(1) EXEMPT PROPERTY.—This section shall not apply to the following:

''(A) UNITED STATES REAL PROPERTY INTERESTS.—Any United States real property interest (as defined in section 897(c)(1)), other than stock of a United States real property holding corporation which does not, on the day before the expatriation date, meet the requirements of section 897(c)(2).

''(B) SPECIFIED PROPERTY.—Any property or interest in property not described in subparagraph (A) which the Secretary specifies in regulations.

''(2) SPECIAL RULES FOR CERTAIN RETIREMENT PLANS.—

''(A) IN GENERAL.—If a covered expatriate holds on the day before the expatriation date any interest in a retirement plan to which this paragraph applies—

''(i) such interest shall not be treated as sold for purposes of subsection (a)(1), but

''(ii) an amount equal to the present value of the expatriate's nonforfeitable accrued benefit shall be treated as having been received by such individual on such date as a distribution under the plan.

''(B) TREATMENT OF SUBSEQUENT DISTRIBUTIONS.—In the case of any distribution on or after the expatriation date to or on behalf of the covered expatriate from a plan from which the expatriate was treated as receiving a distribution under subparagraph (A), the amount otherwise includible in gross income by reason of the subsequent distribution shall be reduced by the excess of the amount includible in gross income under subparagraph (A) over any portion of such amount to which this subparagraph previously applied.

''(C) TREATMENT OF SUBSEQUENT DISTRIBUTIONS BY PLAN.—For purposes of this title, a retirement plan to which this paragraph applies, and any person acting on the plan's behalf, shall treat any subsequent distribution described in subparagraph (B) in the same manner as such distribution would be treated without regard to this paragraph.

''(D) APPLICABLE PLANS.—This paragraph shall apply to—

''(i) any qualified retirement plan (as defined in section 4974(c)),

''(ii) an eligible deferred compensation plan (as defined in section 457(b)) of an eligible employer described in section 457(e)(1)(A), and

''(iii) to the extent provided in regulations, any foreign pension plan or similar retirement arrangements or programs.

''(e) DEFINITIONS.—For purposes of this section—

''(1) EXPATRIATE.—The term 'expatriate' means—

''(A) any United States citizen who relinquishes citizenship, and

''(B) any long-term resident of the United States who—

''(i) ceases to be a lawful permanent resident of the United States (within the meaning of section 7701(b)(6)), or

''(ii) commences to be treated as a resident of a foreign country under the provisions of a tax treaty between the United States and the foreign country and who does not waive the benefits of such treaty applicable to residents of the foreign country.

''(2) EXPATRIATION DATE.—The term 'expatriation date' means—

''(A) the date an individual relinquishes United States citizenship, or

''(B) in the case of a long-term resident of the United States, the date of the event described in clause (i) or (ii) of paragraph (1)(B).

''(3) RELINQUISHMENT OF CITIZENSHIP.—A citizen shall be treated as relinquishing United States citizenship on the earliest of—

''(A) the date the individual renounces such individual's United States nationality before a diplomatic or consular officer of the United States pursuant to paragraph (5) of section 349(a) of the Immigration and Nationality Act (8 U.S.C. 1481(a)(5)),

''(B) the date the individual furnishes to the United States Department of State a signed statement of voluntary relinquishment of United States nationality confirming the performance of an act of expatriation specified in paragraph (1), (2), (3), or (4) of section 349(a) of the Immigration and Nationality Act (8 U.S.C. 1481(a)(1)–(4)),

''(C) the date the United States Department of State issues to the individual a certificate of loss of nationality, or

''(D) the date a court of the United States cancels a naturalized citizen's certificate of naturalization.

Subparagraph (A) or (B) shall not apply to any individual unless the renunciation or voluntary relinquishment is subsequently approved by the issuance to the individual of a certificate of loss of nationality by the United States Department of State.

''(4) LONG-TERM RESIDENT.—The term 'long-term resident' has the meaning given to such term by section 877(e)(2).

''(f) SPECIAL RULES APPLICABLE TO BENEFICIARIES' INTERESTS IN TRUST.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if an individual is determined under paragraph (3) to hold an interest in a trust on the day before the expatriation date—

''(A) the individual shall not be treated as having sold such interest,

''(B) such interest shall be treated as a separate share in the trust, and

''(C)(i) such separate share shall be treated as a separate trust consisting of the assets allocable to such share,

''(ii) the separate trust shall be treated as having sold its assets on the day before the expatriation date for their fair market value and as having distributed all of its assets to the individual as of such time, and

''(iii) the individual shall be treated as having recontributed the assets to the separate trust.

Subsection (a)(2) shall apply to any income, gain, or loss of the individual arising from a distribution described in subparagraph (C)(ii). In determining the amount of such distribution, proper adjustments shall be made for liabilities of the trust allocable to an individual's share in the trust.

''(2) SPECIAL RULES FOR INTERESTS IN QUALIFIED TRUSTS.—

''(A) IN GENERAL.—If the trust interest described in paragraph (1) is an interest in a qualified trust—

''(i) paragraph (1) and subsection (a) shall not apply, and

''(ii) in addition to any other tax imposed by this title, there is hereby imposed on each distribution with respect to such interest a tax in the amount determined under subparagraph (B).

''(B) AMOUNT OF TAX.—The amount of tax under subparagraph (A)(ii) shall be equal to the lesser of—

''(i) the highest rate of tax imposed by section 1(e) for the taxable year which includes the day before the expatriation date, multiplied by the amount of the distribution, or

''(ii) the balance in the deferred tax account immediately before the distribution determined without regard to any increases under subparagraph (C)(ii) after the 30th day preceding the distribution.

''(C) DEFERRED TAX ACCOUNT.—For purposes of subparagraph (B)(ii)—

''(i) OPENING BALANCE.—The opening balance in a deferred tax account with respect to any trust interest is an amount equal to the tax which would have been imposed on the allocable expatriation gain with respect to the trust interest if such gain had been included in gross income under subsection (a).

''(ii) INCREASE FOR INTEREST.—The balance in the deferred tax account shall be increased by the amount of interest determined (on the balance in the account at the time the interest accrues), for periods after the 90th day after the expatriation date, by using the rates and method applicable under section 6621 for underpayments of tax for such periods, except that section 6621(a)(2) shall be applied by substituting '5 percentage points' for '3 percentage points' in subparagraph (B) thereof.

''(iii) DECREASE FOR TAXES PREVIOUSLY PAID.—The balance in the tax deferred account shall be reduced—

''(I) by the amount of taxes imposed by subparagraph (A) on any distribution to the person holding the trust interest, and

''(II) in the case of a person holding a nonvested interest, to the extent provided in regulations, by the amount of taxes imposed by subparagraph (A) on distributions from the trust with respect to nonvested interests not held by such person.

''(D) ALLOCABLE EXPATRIATION GAIN.—For purposes of this paragraph, the allocable expatriation gain with respect to any beneficiary's interest in a trust is the amount of gain which would be allocable to such beneficiary's vested and nonvested interests in the trust if the beneficiary held directly all assets allocable to such interests.

''(E) TAX DEDUCTED AND WITHHELD.—

''(i) IN GENERAL.—The tax imposed by subparagraph (A)(ii) shall be deducted and withheld by the trustees from the distribution to which it relates.

''(ii) EXCEPTION WHERE FAILURE TO WAIVE TREATY RIGHTS.—If an amount may not be deducted and withheld under clause (i) by reason of the distributee failing to waive any treaty right with respect to such distribution—

''(I) the tax imposed by subparagraph (A)(ii) shall be imposed on the trust and each trustee shall be personally liable for the amount of such tax, and

''(II) any other beneficiary of the trust shall be entitled to recover from the distributee the amount of such tax imposed on the other beneficiary.

''(F) DISPOSITION.—If a trust ceases to be a qualified trust at any time, a covered expatriate disposes of an interest in a qualified trust, or a covered expatriate holding an interest in a qualified trust dies, then, in lieu of the tax imposed by subparagraph (A)(ii), there is hereby imposed a tax equal to the lesser of—

''(i) the tax determined under paragraph (1) as if the day before the expatriation date were the date of such cessation, disposition, or death, whichever is applicable, or

''(ii) the balance in the tax deferred account immediately before such date.

Such tax shall be imposed on the trust and each trustee shall be personally liable for the amount of such tax and any other beneficiary of the trust shall be entitled to recover from the covered expatriate or the estate the amount of such tax imposed on the other beneficiary.

''(G) DEFINITIONS AND SPECIAL RULES.—For purposes of this paragraph—

''(i) QUALIFIED TRUST.—The term 'qualified trust' means a trust which is described in section 7701(a)(30)(E).

''(ii) VESTED INTEREST.—The term 'vested interest' means any interest which, as of the day before the expatriation date, is vested in the beneficiary.

''(iii) NONVESTED INTEREST.—The term 'nonvested interest' means, with respect to any beneficiary, any interest in a trust which is not a vested interest. Such interest shall be determined by assuming the maximum exercise of discretion in favor of the beneficiary and the occurrence of all contingencies in favor of the beneficiary.

''(iv) ADJUSTMENTS.—The Secretary may provide for such adjustments to the bases of assets in a trust or a deferred tax account, and the timing of such adjustments, in order to ensure that gain is taxed only once.

''(v) COORDINATION WITH RETIREMENT PLAN RULES.—This subsection shall not apply to an interest in a trust which is part of a retirement plan to which subsection (d)(2) applies.

''(3) DETERMINATION OF BENEFICIARIES' INTEREST IN TRUST.—

''(A) DETERMINATIONS UNDER PARAGRAPH (1).—For purposes of paragraph (1), a beneficiary's interest in a trust shall be based upon all relevant facts and circumstances, including the terms of the trust instrument and any letter of wishes or similar document, historical patterns of trust distributions, and the existence of and functions performed by a trust protector or any similar adviser.

''(B) OTHER DETERMINATIONS.—For purposes of this section—

''(i) CONSTRUCTIVE OWNERSHIP.—If a beneficiary of a trust is a corporation, partnership, trust, or estate, the shareholders, partners, or beneficiaries shall be deemed to be the trust beneficiaries for purposes of this section.

''(ii) TAXPAYER RETURN POSITION.—A taxpayer shall clearly indicate on its income tax return—

''(I) the methodology used to determine that taxpayer's trust interest under this section, and

''(II) if the taxpayer knows (or has reason to know) that any other beneficiary of such trust is using a different methodology to determine such beneficiary's trust interest under this section.

''(g) TERMINATION OF DEFERRALS, ETC.—In the case of any covered expatriate, notwithstanding any other provision of this title—

''(1) any period during which recognition of income or gain is deferred shall terminate on the day before the expatriation date, and

''(2) any extension of time for payment of tax shall cease to apply on the day before the expatriation date and the unpaid portion of such tax shall be due and payable at the time and in the manner prescribed by the Secretary.

''(h) IMPOSITION OF TENTATIVE TAX.—

''(1) IN GENERAL.—If an individual is required to include any amount in gross income under subsection (a) for any taxable year, there is hereby imposed, immediately before the expatriation date, a tax in an amount equal to the amount of tax which would be imposed if the taxable year were a short taxable year ending on the expatriation date.

''(2) DUE DATE.—The due date for any tax imposed by paragraph (1) shall be the 90th day after the expatriation date.

''(3) TREATMENT OF TAX.—Any tax paid under paragraph (1) shall be treated as a payment of the tax imposed by this chapter for the taxable year to which subsection (a) applies.

''(4) DEFERRAL OF TAX.—The provisions of subsection (b) shall apply to the tax imposed by this subsection to the extent attributable to gain includible in gross income by reason of this section.

''(i) SPECIAL LIENS FOR DEFERRED TAX AMOUNTS.—

''(1) IMPOSITION OF LIEN.—

''(A) IN GENERAL.—If a covered expatriate makes an election under subsection (a)(4) or (b) which results in the deferral of any tax imposed by reason of subsection (a), the deferred amount (including any interest, additional amount, addition to tax, assessable penalty, and costs attributable to the deferred amount) shall be a lien in favor of the United States on all property of the expatriate located in the United States (without regard to whether this section applies to the property).

''(B) DEFERRED AMOUNT.—For purposes of this subsection, the deferred amount is the amount of the increase in the covered expatriate's income tax which, but for the election under subsection (a)(4) or (b), would have occurred by reason of this section for the taxable year including the expatriation date.

''(2) PERIOD OF LIEN.—The lien imposed by this subsection shall arise on the expatriation date and continue until—

''(A) the liability for tax by reason of this section is satisfied or has become unenforceable by reason of lapse of time, or

''(B) it is established to the satisfaction of the Secretary that no further tax liability may arise by reason of this section.

''(3) CERTAIN RULES APPLY.—The rules set forth in paragraphs (1), (3), and (4) of section 6324A(d) shall apply with respect to the lien imposed by this subsection as if it were a lien imposed by section 6324A.

''(j) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.''.

(b) INCLUSION IN INCOME OF GIFTS AND BEQUESTS RECEIVED BY UNITED STATES CITIZENS AND RESIDENTS FROM EXPATRIATES.—Section 102 (relating to gifts, etc. not included in gross income) is amended by adding at the end the following new subsection:

''(d) GIFTS AND INHERITANCES FROM COVERED EXPATRIATES.—

''(1) TREATMENT OF GIFTS AND INHERITANCES.—

''(A) IN GENERAL.—Subsection (a) shall not exclude from gross income the value of any property acquired by gift, bequest, devise, or inheritance from a covered expatriate after the expatriation date.

''(B) DETERMINATION OF BASIS.—Notwithstanding sections 1015 or 1022, the basis of any property described in subparagraph (A) in the hands of the donee or the person acquiring such property from the decedent shall be equal to the fair market value of the property at the time of the gift, bequest, devise, or inheritance.

''(2) EXCEPTIONS FOR TRANSFERS OTHERWISE SUBJECT TO ESTATE OR GIFT TAX.—Paragraph (1) shall not apply to any property if either—

''(A) the gift, bequest, devise, or inheritance is—

''(i) shown on a timely filed return of tax imposed by chapter 12 as a taxable gift by the covered expatriate, or

''(ii) included in the gross estate of the covered expatriate for purposes of chapter 11 and shown on a timely filed return of tax imposed by chapter 11 of the estate of the covered expatriate, or

''(B) no such return was timely filed but no such return would have been required to be filed even if the covered expatriate were a citizen or long-term resident of the United States.

''(3) DEFINITIONS.—For purposes of this subsection, any term used in this subsection which is also used in section 877A shall have the same meaning as when used in section 877A.''.

(c) DEFINITION OF TERMINATION OF UNITED STATES CITIZENSHIP.—Section 7701(a) is amended by adding at the end the following new paragraph:

''(50) TERMINATION OF UNITED STATES CITIZENSHIP.—

''(A) IN GENERAL.—An individual shall not cease to be treated as a United States citizen before the date on which—

''(i) the individual's citizenship is treated as relinquished under section 877A(e)(3), and

''(ii) the individual provides a statement in accordance with section 6039G (if such a statement is otherwise required).

''(B) DUAL CITIZENS.—Under regulations prescribed by the Secretary, subparagraph (A) shall not apply to an individual who became at birth a citizen of the United States and a citizen of another country.''.

(d) INELIGIBILITY FOR VISA OR ADMISSION TO UNITED STATES.—

(1) IN GENERAL.—Section 212(a)(10)(E) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(E)) is amended to read as follows:

''(E) FORMER CITIZENS NOT IN COMPLIANCE WITH EXPATRIATION REVENUE PROVISIONS.—Any alien who is a former citizen of the United States who relinquishes United States citizenship (within the meaning of section 877A(e)(3) of the Internal Revenue Code of 1986) and who is not in compliance with section 877A of such Code (relating to expatriation) is inadmissible.''.

(2) AVAILABILITY OF INFORMATION.—

(A) IN GENERAL.—Section 6103(l) (relating to disclosure of returns and return information for purposes other than tax administration) is amended by adding at the end the following new paragraph:

''(21) DISCLOSURE TO DENY VISA OR ADMISSION TO CERTAIN EXPATRIATES.—Upon written request of the Attorney General or the Attorney General's delegate, the Secretary shall disclose whether an individual is in compliance with section 877A (and if not in compliance, any items of noncompliance) to officers and employees of the Federal agency responsible for administering section 212(a)(10)(E) of the Immigration and Nationality Act solely for the purpose of, and to the extent necessary in, administering such section 212(a)(10)(E).''.

(B) SAFEGUARDS.—Section 6103(p)(4) (relating to safeguards) is amended by striking ''or (20)'' each place it appears and inserting ''(20), or (21)''.

(3) EFFECTIVE DATES.—The amendments made by this subsection shall apply to individuals who relinquish United States citizenship on or after the date of the enactment of this Act.

(e) CONFORMING AMENDMENTS.—

(1) Section 877 is amended by adding at the end the following new subsection:

''(h) APPLICATION.—This section shall not apply to an expatriate (as defined in section 877A(e)) whose expatriation date (as so defined) occurs on or after the date of the enactment of this subsection.''.

(2) Section 2107 is amended by adding at the end the following new subsection:

''(f) APPLICATION.—This section shall not apply to any expatriate subject to section 877A.''.

(3) Section 2501(a)(3) is amended by adding at the end the following new subparagraph:

''(C) APPLICATION.—This paragraph shall not apply to any expatriate subject to section 877A.''.

(4) Section 6039G(a) is amended by inserting ''or 877A'' after ''section 877(b)''.

(5) The second sentence of section 6039G(d) is amended by inserting ''or who relinquishes United States citizenship (within the meaning of section 877A(e)(3))'' after ''section 877(a))''.

(6) Section 7701(n) is amended by adding at the end the following new paragraph:

''(3) APPLICATION.—This subsection shall not apply to any expatriate subject to section 877A.''.

(f) CLERICAL AMENDMENT.—The table of sections for subpart A of part II of subchapter N of chapter 1 is amended by inserting after the item relating to section 877 the following new item:

''Sec. 877A. Tax responsibilities of expatriation''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in this subsection, the amendments made by this section shall apply to expatriates (within the meaning of section 877A(e) of the Internal Revenue Code of 1986, as added by this section) whose expatriation date (as so defined) occurs on or after the date of the enactment of this Act.

(2) GIFTS AND BEQUESTS.—Section 102(d) of the Internal Revenue Code of 1986 (as added by subsection (b)) shall apply to gifts and bequests received on or after the date of the enactment of this Act, from an individual or the estate of an individual whose expatriation date (as so defined) occurs after such date.

(3) DUE DATE FOR TENTATIVE TAX.—The due date under section 877A(h)(2) of the Internal Revenue Code of 1986, as added by this section, shall in no event occur before the 90th day after the date of the enactment of this Act.

Mr. KERRY. Mr. President, today Senators BAUCUS, GRASSLEY and I, along with other Finance Committee members, are introducing the Defenders of Freedom Tax Relief Act of 2007. Earlier in the year, Senator SMITH and I introduced the Active Duty Military Tax Relief Act of 2007, which would help those who are valiantly serving their country and the families that they leave behind.

The Defenders of Freedom on Tax Relief Act of 2007 includes several provisions from the Active Duty Military Tax Relief Act of 2007. It also includes additional provisions to help military families and veterans who often struggle financially.

The best definition of patriotism is keeping faith with those who wear the uniform of our country. That means giving our troops the resources they need to keep them safe while they are protecting us. And it means supporting our troops at home as well as abroad.

Currently, there are over 149,700 military personnel serving in Iraq. There are approximately 22,100 U.S. servicemembers in Afghanistan. Many of these men and women are reservists and have been called to active duty, frequently for multiple tours.

Most large businesses have the resources to provide supplemental income to reservist employees called up and to replace them with temporary employees. I applaud the businesses that have been able to pay supplemental income to their reservists, but

it is not easy for small businesses to do the same.

In January, the Committee on Small Business and Entrepreneurship held a hearing on veterans' small business issues. A majority of our veterans returning from Iraq and Afghanistan are Reserve and National Guard members—35 percent of whom are either self-employed or own or are employed by a small business.

We heard some disturbing statistics about the impact and unintended consequences the call up of reservists is having on small businesses. According to a January 2007 survey conducted by Workforce Management, 54 percent of the businesses surveyed responded that they would not hire a citizen soldier if they knew that they could be called up for an indeterminate amount of time. I am concerned that long call ups and redeployments have made it hard for small businesses to be supportive of civilian soldiers.

The Active Duty Military Tax Relief Act of 2007 provides a tax credit to small businesses to assist with the cost of paying the salary of their reservist employees when they are called to active duty. A similar provision is included in the Defenders of Freedom Tax Relief Act of 2007.

In addition to helping small businesses, the Active Duty Military Tax Relief Act of 2007 addresses concerns related to differential military pay, income tax withholding, and retirement plan participation. These provisions will make it easier for employers who would like to pay their employees supplemental income, above their military pay, and make pension contributions. Our legislation would make differential military pay subject to Federal income tax withholding. In addition, with respect to the retirement plan rules, the bill provides that a person receiving differential military pay would be treated as an employee of the employer making the payment, and allows the differential military pay to be treated as compensation. These provisions are included in the Defenders of Freedom Tax Relief Act of 2007.

The Active Duty Military Tax Relief Act of 2007 would make permanent the existing provision which allows taxpayer to include combat pay as earned income for purposes of the earned-income tax credit, EITC. Without this provision some military families would no longer be eligible to receive the EITC because combat pay is currently not taxable.

Last Congress, Senator SMITH and I introduced the Fallen Heroes Family Savings Act, which we have incorporated into the Active Duty Military Tax Relief Act. This provision provides tax relief for the death gratuity payment that is given to families who have lost a loved one in combat. This payment is currently $100,000.

Our current tax laws do not allow the recipients of this payment to use it to make contributions to tax-preferred saving accounts that help with saving for retirement. The Active Duty Military Tax Relief Act of 2007 would allow military death gratuities to be contributed to certain tax-preferred accounts. These contributions would be treated as qualified rollovers. A similar provision is included in the Defenders of Freedom Tax Relief Act of 2007.

Our service men and women need to know that we are honoring their valor by taking care of those they leave behind. Helping ease the tax burden on the death gratuity will enable military families to save more for retirement. These changes to our tax laws will help our military families with some of their financial burdens. It cannot repay the sacrifices they have made for us, but it is a small way we can support our troops and their families at home as well as abroad.

By Mr. LAUTENBERG (for himself, Mr. INOUYE, Mr. SMITH, and Mr. STEVENS):

S. 1594. A bill to amend title 46, United States Code, to improve safety and security for especially hazardous cargoes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. LAUTENBERG. Mr. President, I rise today to introduce the Maritime Hazardous Cargo Security Act of 2007 along with my colleagues Senators INOUYE, STEVENS, and SMITH. As the bipartisan leaders of the Senate Committee on Commerce, Science, and Transportation and its Subcommittee on Surface Transportation and Merchant Marine Safety, Security, and Infrastructure, we have been working together over the course of this session to evaluate the risks posed by the transportation of especially hazardous cargo in the maritime sector. This bill is the result of exhaustive research and consultation with affected industries and the Department of Homeland Security. Ships bringing liquefied natural gas, LNG, from foreign ports as well as the facilities along America's shores that handle LNG must be better secured against terrorism.

With so much focus on hazardous cargo that is transported on our roads and railways, we must not neglect the much larger shipments of hazardous cargoes that are carried by vessel. Energy supply challenges in our country have led to the proposals for approximately 70 new shoreside facilities in the United States to receive liquefied natural gas via oceangoing tank vessel. Many of the safety and security risks of the transportation of this commodity are known and have been detailed by the Government Accountability Office. Furthermore, other chemicals and petrochemicals can present even greater security risks.

The shipping system for these commodities is international in scope, so our bill would require the administration to work with our international trading partners to develop standards of care to adequately protect those ships, facilities, employees and nearby communities and residents from attacks involving these and other hazardous cargoes. Our proposal would require significant steps to protect the safety and security of our regional and national economies, and the public health, from the potential hazards of high risk cargo transported by ship.

Specifically the Maritime Hazardous Cargo Act of 2007 would: Direct the Administration to work with international partners to develop standards and procedures for the safe and secure handling of especially hazardous cargoes, EHC, for all vessels and port facilities; require successful completion of U.S. Coast Guard Incident Command System, ICS, training for all personnel responsible for the safety and security of a vessel in port; require the Department of Homeland Security to develop regional response and recovery plans for the resumption of commerce after disruption by a security incident; authorize the U.S. Coast Guard to develop cost share plans for security costs associated with high-risk U.S. facilities; authorize assistance to foreign ports that handle and transport EHC's for the purpose of complying with or exceeding current International Ship and Port Facility Code, ISPFC, standards; authorize voluntary third party validation of international port facilities to certify they meet or exceed international safety standards; and require the U.S. Coast Guard to develop a resource allocation plan to show how its proposed budget will be used for EHC security operations and to report to Congress biannually.

In summary, the Maritime Hazardous Cargo Act of 2007 will require strengthening of Federal protections against terrorist attacks on facilities and vessels that transport, handle, and store especially hazardous cargoes, EHC's. The transportation of EHC's by ship can pose a significant risk to the public safety and the economic security of the Nation, particularly the transportation of chemicals and petrochemicals such as anhydrous ammonia, ammonium nitrate, chlorine, liquefied natural gas and liquefied petroleum gas. Currently, no international standards exist for the safe and secure handling of these chemicals/petrochemicals by ship and limited U.S. Coast Guard resources for EHC security poses a dangerous risk to our communities. Further, I intend to work with my cosponsors and other colleagues to ensure there are sufficient resources in the Federal budget to carry out the provisions of the bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Maritime Hazardous Cargo Security Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. INTERNATIONAL COMMITTEE FOR THE SAFE AND SECURE TRANSPORTATION OF ESPECIALLY HAZARDOUS CARGO.

(a) IN GENERAL.—Chapter 701 of title 46, United States Code, is amended by inserting after section 70109 the following:

''§ 70109A. International committee for the safe and secure transportation of especially hazardous cargo

''(a) IN GENERAL.—The Secretary, in consultation with the Secretary of State and other appropriate entities, shall, in a manner consistent with international treaties, conventions, and agreements to which the United States is a party, establish a committee that includes representatives of United States trading partners that supply tank or break-bulk shipments of especially hazardous cargo to the United States.

''(b) SAFE AND SECURE LOADING, UNLOADING, AND TRANSPORTATION OF ESPECIALLY HAZARDOUS CARGOES.—In carrying out this section, the Secretary, in cooperation with the International Maritime Organization and in consultation with the International Standards Organization and shipping industry stakeholders, shall develop protocols, procedures, standards, and requirements for receiving, handling, loading, unloading, vessel crewing, and transportation of especially hazardous cargo to promote the safe and secure operation of ports, facilities, and vessels that transport especially hazardous cargo to the United States.

''(c) DEADLINES.—The Secretary shall—

''(1) initiate the development of the committee within 180 days after the date of enactment of the Maritime Hazardous Cargo Security Act; and

''(2) endeavor to have the protocols, procedures, standards, and requirements developed by the committee take effect within 3 years after the date of enactment of that Act.

''(d) REPORTS.—The Secretary shall report annually to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and the House of Representatives Committee on Homeland Security on the development, implementation, and administration of the protocols, procedures, standards, and requirements developed by the committee established under subsection (a).''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 701 of title 46, United States Code, is amended by inserting after the item relating the section 70109 the following:

''70109A. International committee for the safe and secure transportation of especially hazardous cargo''.

SEC. 3. VALIDATION OF COMPLIANCE WITH ISPFC STANDARDS.

(a) IN GENERAL.—Chapter 701 of title 46, United States Code, is amended by inserting after section 70110 the following:

''70110A. Port safety and security validations

''(a) IN GENERAL.—The Secretary, in consultation with the Secretary of State, shall, in a manner consistent with international treaties, conventions, and agreements to which the United States is a party, develop and implement a voluntary program under which foreign ports and facilities can certify their compliance with applicable International Ship and Port Facility Code standards.

''(b) THIRD-PARTY VALIDATION.—

''(1) IN GENERAL.—In carrying out this section, the Secretary, in cooperation with the International Maritime Organization and the International Standards Organization, shall develop and implement a program under which independent, third-party entities are certified to validate a foreign port's or facility's compliance under the program developed under subsection (a).

''(2) PROGRAM COMPONENTS.—The international program shall include—

''(A) international inspection protocols and procedures;

''(B) minimum validation standards to ensure a port or facility meets the applicable International Ship and Port Facility Code standards;

''(C) recognition for foreign ports or facilities that exceed the minimum standards;

''(D) uniform performance metrics by which inspection validations are to be conducted;

''(E) a process for notifying a port or facility, and its host nation, of areas of concern about the port's or facility's failure to comply with International Ship and Port Facility Code standards;

''(F) provisional or probationary validations;

''(G) conditions under which routine monitoring is to occur if a port or facility receives a provisional or probationary validation;

''(H) a process by which failed validations can be appealed; and

''(I) an appropriate cycle for re-inspection and validation.

''(c) CERTIFICATION OF THIRD PARTY ENTITIES.—The Secretary may not certify a third party entity to validate ports or facilities under subsection (b) unless—

''(1) the entity demonstrates to the satisfaction of the Secretary the ability to perform validations in accordance with the standards, protocols, procedures, and requirements established by the program implemented under subsection (a); and

''(2) the entity has no beneficial interest in or any direct control over the port and facilities being inspected and validated.

''(d) MONITORING—The Secretary shall regularly monitor and audit the operations of each third party entity conducting validations under this section to ensure that it is meeting the minimum standards, operating protocols, procedures, and requirements established by international agreement.

''(e) REVOCATION.—The Secretary shall revoke the certification of any entity determined by the Secretary not to meet the minimum standards, operating protocol, procedures, and requirements established by international agreement for third party entity validations.

''(f) PROTECTION OF SECURITY AND PROPRIETARY INFORMATION.—In carrying out this section, the Secretary shall take appropriate actions to protect from disclosure information that—

''(1) is security sensitive, proprietary, or business sensitive; or

''(2) is otherwise not appropriately in the public domain.

''(g) DEADLINES.—The Secretary shall—

''(1) initiate procedures to carry out this section within 180 days after the date of enactment of the Maritime Hazardous Cargo Security Act; and

''(2) develop standards under subsection (b) for third party validation within 2 years after the date of enactment of that Act.

''(h) REPORTS.—The Secretary shall report annually to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and the House of Representatives Committee on Homeland Security on activities conducted pursuant to this section.''.

(c) CONFORMING AMENDMENT.—The chapter analysis for chapter 701 of title 46, United States Code, is amended by inserting after the item relating to section 70110 the following:

''70110A. Port safety and security validations''.

SEC. 4. SAFETY AND SECURITY ASSISTANCE FOR FOREIGN PORTS.

(a) IN GENERAL.—Section 70110(e)(1) of title 46, United States Code, is amended by striking the second sentence and inserting the following: ''The Secretary shall establish a strategic plan to utilize those assistance programs to assist ports and facilities that are found by the Secretary under subsection (a) not to maintain effective antiterrorism measures in the implementation of port security antiterrorism measures.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 70110 of title 46, United States Code, is amended—

(A) by inserting ''**or facilities**'' after ''**ports**'' in the section heading;

(B) by inserting ''or facility'' after ''port'' each place it appears; and

(C) by striking ''PORTS'' in the heading for subsection (e) and inserting ''PORTS, FACILITIES,''.

(2) The chapter analysis for chapter 701 of title 46, United States Code, is amended by striking the item relating to section 70110 and inserting the following:

''70110. Actions and assistance for foreign ports or facilities and United States territories''.

SEC. 5. COAST GUARD PORT ASSISTANCE PROGRAM.

Section 70110 of title 46, United States Code, is amended by adding at the end thereof the following:

''(f) COAST GUARD LEND-LEASE ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may lend, lease, or otherwise provide equipment, and provide technical training and support, to the owner or operator of a foreign port or facility—

''(A) to assist in bringing the port or facility into compliance with applicable International Ship and Port Facility Code standards;

''(B) to assist the port or facility in meeting standards established under section 70109A of this chapter; and

''(C) to assist the port or facility in exceeding the standards described in subparagraph (A) and (B).

''(2) CONDITIONS.—The Secretary—

''(A) shall provide such assistance based upon an assessment of the risks to the security of the United States and the inability of the owner or operator of the port or facility otherwise to bring the port or facility into compliance with those standards and to maintain compliance with them; but

''(B) may not provide such assistance unless the facility or port has been subjected to a comprehensive port security assessment by

the Coast Guard or a third party entity certified by the Secretary under section 70110A(b) to validate foreign port or facility compliance with International Ship and Port Facility Code standards.

''(3) DEADLINE.—The Secretary shall identify ports and facilities that qualify for assistance under this subsection within 180 days after the date of enactment of the Maritime Hazardous Cargo Security Act.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this subsection.''.

SEC. 6. EHC FACILITY RISK-BASED COST SHARING.

The Commandant shall identify facilities sited or constructed on or adjacent to the navigable waters of the United States that receive, handle, load, or unload especially hazardous cargos that pose a risk greater than an acceptable risk threshhold, as determined by the Secretary under a uniform risk assessment methodology. The Secretary may establish a security cost-share plan to assist the Coast Guard in providing security for the transportation of especially hazardous cargo to such facilities.

SEC. 7. TRANSPORTATION SECURITY INCIDENT MITIGATION PLAN.

Section 70103(b)(2) of title 46, United States Code, is amended—

(1) by redesignating subparagraphs (E) through (G) as subparagraphs (F) through (H), respectively; and

(2) by inserting after subparagraph (D) the following:

''(E) establish regional response and recovery protocols to prepare for, respond to, mitigate against, and recover from a transportation security incident consistent with section 202 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 942) and section 70103(a) of title 46, United States Code;''.

SEC. 8. COAST GUARD NATIONAL RESOURCE ALLOCATION PLAN.

The Commandant shall develop a national resource allocation plan for Coast Guard assets and resources necessary to meet safety and security requirements associated with receiving, handling, and loading especially hazardous cargo at United States ports and facilities, taking into account the Coast Guard assets and resources necessary to execute other Coast Guard missions. The Secretary shall submit the plan to the Congress at the same time as the President submits the Budget of the United States for fiscal year 2009, together with an estimate of the operational and capital costs required to assure an acceptable level of safety and security under the plan.

SEC. 9. INCIDENT COMMAND SYSTEM TRAINING.

The Secretary shall ensure that Federal, State, and local personnel responsible for the safety and security of vessels in port carrying especially hazardous cargo have successfully completed training in the Coast Guard's incident command system.

SEC. 10. CONVEYANCE OF CERTAIN NATIONAL DEFENSE RESERVE FLEET VESSELS.

Section 57102 of title 46, United States Code, is amended—

(1) by striking ''vessel or sell the vessel for cash.'' in subsection (a) and inserting ''vessel, sell the vessel for cash, or convey the vessel under subsection (c) to the owner or operator of a port.''; and

(2) by adding at the end thereof the following:

''(c) CONVEYANCE TO PORT AUTHORITY.—The Secretary, after consultation with the Maritime Administration, may convey a vessel described in subsection (a) to the owner or operator of a United States or foreign port—

''(1) for use in safety or security operations at that port;

''(2) with or without compensation; and

''(3) subject to such limitations on its use and further disposition as the Secretary determines to be appropriate.''.

SEC. 11. PRE-POSITIONING INTEROPERABLE COMMUNICATIONS EQUIPMENT AT INTERAGENCY OPERATIONAL CENTERS.

Section 70107A of title 46, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following:

''(e) DEPLOYMENT OF INTEROPERABLE COMMUNICATIONS EQUIPMENT AT INTERAGENCY OPERATIONAL CENTERS.—

''(1) IN GENERAL.—The Secretary shall ensure that interoperable communications technology is deployed at all interagency operational centers established under subsection (a).

''(2) CONSIDERATIONS.—In carrying out paragraph (1), the Secretary shall consider the continuing technological evolution of communications technologies and devices, with its implicit risk of obsolescence, and shall ensure, to the maximum extent feasible, that a substantial part of the technology deployed involves prenegotiated contracts and other arrangements for rapid deployment of equipment, supplies, and systems rather than the warehousing or storage of equipment and supplies currently available at the time the technology is deployed.

''(3) REQUIREMENTS AND CHARACTERISTICS.—The interoperable communications technology deployed under paragraph (1) shall—

''(A) be capable of re-establishing communications when existing infrastructure is damaged or destroyed in an emergency or a major disaster;

''(B) include appropriate current, widely-used equipment, such as Land Mobile Radio Systems, cellular telephones and satellite equipment, Cells-On-Wheels, Cells-On-Light-Trucks, or other self-contained mobile cell sites that can be towed, backup batteries, generators, fuel, and computers;

''(C) include contracts (including prenegotiated contracts) for rapid delivery of the most current technology available from commercial sources;

''(D) include arrangements for training to ensure that personnel are familiar with the operation of the equipment and devices to be delivered pursuant to such contracts; and

''(E) be utilized as appropriate during live area exercises conducted by the United States Coast Guard.

''(4) ADDITIONAL CHARACTERISTICS.—Portions of the communications technology deployed under paragraph (1) may be virtual and may include items donated on an in-kind contribution basis.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed or interpreted to preclude the use of funds under this section by the Secretary for interim or long-term Internet Protocol-based interoperable solutions, notwithstanding compliance with the Project 25 standard.''.

SEC. 12. DEFINITIONS.

In this Act:

(1) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(2) ESPECIALLY HAZARDOUS CARGO.—The term ''especially hazardous cargo'' means anhydrous ammonia, ammonium nitrate, chlorine, liquefied natural gas, liquefied petroleum gas, and any other substance identified by the Secretary of the department in which the Coast Guard is operating as especially hazardous cargo.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

Mr. SMITH (for himself and Mr. WYDEN):

S. 1595. A bill to amend title XVIII of the Social Security Act to provide flexibility in the manner in which beds are counted for purposes of determining whether a hospital may be designated as a critical access hospital under the Medicare program; to the Committee on Finance.

Mr. SMITH. Mr. President, I am pleased to be joined today by my colleague Senator WYDEN, to introduce this important piece of legislation for America's rural hospitals. Our legislation will work to ensure that hospitals in under-served areas, including those in our home State of Oregon, have the flexibility they need to provide care to their communities.

The Critical Access Hospital program, CAH, is an important safety net that ensures that communities have access to health care services in rural areas such as my hometown of Pendleton, OR. Hundreds of hospitals across the United States operate under a CAH designation, 25 of which are in Oregon. In order to obtain this designation, certain requirements, such as being located more than 35 miles from any other hospital, or receiving certification by the state to be a ''necessary provider.'' CAH's also must provide 24-hour emergency care services 7 days a week.

One requirement, however, the 25-patient bed limit, has proven to be too constricting for facilities during times of unexpected, increased need, such as during an influenza outbreak or an influx of tourism to the community.

Leadership for Oregon hospitals have expressed to me that these rules could lead to severe patient safety issues. As hospitals reach their 25-bed capacity, they could be forced to divert those in need of care to a hospital much farther from their home and families. Alternatively, should these small hospitals take the patient in they put themselves at risk of losing their important CAH status. Loss of such status could cause the closing of the facility altogether.

Access to health care remains an issue in our Nation and this bill is one small way in which we can work to ensure that rural hospital doors remain open for millions of Americans living in communities who depend on CAH's for their medical care. This bill will provide the flexibility necessary for a CAH to choose to meet either the 25-bed-per day limit or a limit of 20-beds-per-day averaged throughout the year. Therefore, during a time of surge, they can care for more patients in need even if the hospital would exceed the use of 25 beds, which they could not do under current law. However, our bill ensures that during times of non-surge these hospitals are meeting the requirements under law that make them a CAH. This new yearly average is set lower than the daily limit to ensure that we are not expanding this program.

We believe that this simple tweak in the current law is critically important

to keeping our rural hospitals open and their communities' health care needs served. I hope my colleagues will join me in support of this bill, and I look forward to working with Chairman BAUCUS and other members of the Finance Committee to secure passage of this important bill.

By Mr. VITTER:

S. 1597. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Homeland Security and Governmental Affairs.

Mr. VITTER. Mr. President, I am pleased to introduce today a bill that would go a long way toward ensuring that Federal contracting remains a process of equal opportunity and open competition. Specifically, my legislation would prohibit the practice of attaching restrictive union-only project labor agreements, or PLAs, to Federal contracts.

In short, any contractor or subcontractor who is bidding on a construction project that includes a union-only PLA must agree to recognize unions as the representatives of the employees on that job; use the union hiring hall to obtain workers and apprentices; pay union wages and benefits; and follow the union's restrictive rules, job classifications, and arbitration procedures.

These restrictions would apply at the expense of a contractor's or subcontractor's usual team of workers. They would apply in States that may have low numbers of unionized construction workers, even if it meant denying jobs to local, in-State workers and required bringing in employees from out of State. Finally, the restrictions in a union-only PLA would apply even though only 13 percent of our private construction workforce belongs to a construction labor union, and therefore effectively locking out almost nine of every 10 able, qualified workers.

In my home State of Louisiana, just 7.4 percent of private construction workers belong to a construction labor union. Yet, for example, if union-only PLAs are attached to the Federal construction projects helping rebuild Louisiana after the devastation of Hurricanes Katrina and Rita, Louisianans will be locked out of this important rebuilding process, making it difficult to find work and earn a decent wage; the same jobs and wages that would enable Louisiana families to return to the hurricane-affected areas and rebuild their lives in these communities. Yet, instead of enabling local folks and businesses to come together and participate in their community's renewal, PLAs will ensure that these valuable jobs will go to just a select few, mostly out-of-State union workers. It is inexcusable that local Louisiana firms and their workers would be barred from freely bidding on construction projects in their own town or parish. And this is just one example of the harmful consequences associated with PLAs.

In sum, the Federal Government should not be in the business of taking taxpayers' money to fund projects that exclude more than four out of five workers, making these projects discriminatory, anticompetitive, and unnecessarily expensive. At the very least, taxpayers should be able to bid and work on projects that they are funding with their own hard-earned dollars. Construction workers should have the opportunity to work on projects that benefit their own communities regardless of their union affiliation. The Federal Government should maintain a neutral position and encourage full and open competition in the Federal contracting process.

Contracts should be awarded based on sound, commonsense criteria, such as quality of work, experience, and cost. Union affiliation has no place within the criteria for considering a contract bid. The best bid, by the most qualified contractor or subcontractor, should always be the winning bid.

I urge my colleagues to support this important legislation and to oppose attempts to attach union-only project labor agreements to Federal projects.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Government Neutrality in Contracting Act''.

SEC. 2. PURPOSES.

It is the purpose of this Act to—

(1) promote and ensure open competition on Federal and federally funded or assisted construction projects;

(2) maintain Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded or assisted construction projects;

(3) reduce construction costs to the Federal Government and to the taxpayers;

(4) expand job opportunities, especially for small and disadvantaged businesses; and

(5) prevent discrimination against Federal Government contractors or their employees based upon labor affiliation or the lack thereof, thereby promoting the economical, nondiscriminatory, and efficient administration and completion of Federal and federally funded or assisted construction projects.

SEC. 3. PRESERVATION OF OPEN COMPETITION AND FEDERAL GOVERNMENT NEUTRALITY.

(a) PROHIBITION.—

(1) GENERAL RULE.—The head of each executive agency that awards any construction contract after the date of enactment of this Act, or that obligates funds pursuant to such a contract, shall ensure that the agency, and any construction manager acting on behalf of the Federal Government with respect to such contract, in its bid specifications, project agreements, or other controlling documents does not—

(A) require or prohibit a bidder, offeror, contractor, or subcontractor from entering into, or adhering to, agreements with 1 or more labor organization, with respect to that construction project or another related construction project; or

(B) otherwise discriminate against a bidder, offeror, contractor, or subcontractor because such bidder, offeror, contractor, or subcontractor—

(i) became a signatory, or otherwise adhered to, an agreement with 1 or more labor organization with respect to that construction project or another related construction project; or

(ii) refused to become a signatory, or otherwise adhere to, an agreement with 1 or more labor organization with respect to that construction project or another related construction project.

(2) APPLICATION OF PROHIBITION.—The provisions of this section shall not apply to contracts awarded prior to the date of enactment of this Act, and subcontracts awarded pursuant to such contracts regardless of the date of such subcontracts.

(3) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to prohibit a contractor or subcontractor from voluntarily entering into an agreement described in such paragraph.

(b) RECIPIENTS OF GRANTS AND OTHER ASSISTANCE.—The head of each executive agency that awards grants, provides financial assistance, or enters into cooperative agreements for construction projects after the date of enactment of this Act, shall ensure that—

(1) the bid specifications, project agreements, or other controlling documents for such construction projects of a recipient of a grant or financial assistance, or by the parties to a cooperative agreement, do not contain any of the requirements or prohibitions described in subparagraph (A) or (B) of subsection (a)(1); or

(2) the bid specifications, project agreements, or other controlling documents for such construction projects of a construction manager acting on behalf of a recipient or party described in paragraph (1), do not contain any of the requirements or prohibitions described in subparagraph (A) or (B) of subsection (a)(1).

(c) FAILURE TO COMPLY.—If an executive agency, a recipient of a grant or financial assistance from an executive agency, a party to a cooperative agreement with an executive agency, or a construction manager acting on behalf of such an agency, recipient or party, fails to comply with subsection (a) or (b), the head of the executive agency awarding the contract, grant, or assistance, or entering into the agreement, involved shall take such action, consistent with law, as the head of the agency determines to be appropriate.

(d) EXEMPTIONS.—

(1) IN GENERAL.—The head of an executive agency may exempt a particular project, contract, subcontract, grant, or cooperative agreement from the requirements of 1 or more of the provisions of subsections (a) and (b) if the head of such agency determines that special circumstances exist that require an exemption in order to avert an imminent threat to public health or safety or to serve the national security.

(2) SPECIAL CIRCUMSTANCES.—For purposes of paragraph (1), a finding of ''special circumstances'' may not be based on the possibility or existence of a labor dispute concerning contractors or subcontractors that are nonsignatories to, or that otherwise do not adhere to, agreements with 1 or more labor organization, or labor disputes concerning employees on the project who are not members of, or affiliated with, a labor organization.

(3) ADDITIONAL EXEMPTION FOR CERTAIN PROJECTS.—The head of an executive agency, upon application of an awarding authority, a recipient of grants or financial assistance, a party to a cooperative agreement, or a construction manager acting on behalf of any of such entities, may exempt a particular project from the requirements of any or all of the provisions of subsections (a) or (c), if the agency head finds—

(A) that the awarding authority, recipient of grants or financial assistance, party to a cooperative agreement, or construction manager acting on behalf of any of such entities had issued or was a party to, as of the date of the enactment of this Act, bid specifications, project agreements, agreements with one or more labor organizations, or other controlling documents with respect to that particular project, which contained any of the requirements or prohibitions set forth in subsection (a)(1); and

(B) that one or more construction contracts subject to such requirements or prohibitions had been awarded as of the date of the enactment of this Act.

(e) FEDERAL ACQUISITION REGULATORY COUNCIL.—With respect to Federal contracts to which this section applies, not later than 60 days after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall take appropriate action to amend the Federal Acquisition Regulation to implement the provisions of this section.

(f) DEFINITIONS.—In this section:

(1) CONSTRUCTION CONTRACT.—The term ''construction contract'' means any contract for the construction, rehabilitation, alteration, conversion, extension, or repair of buildings, highways, or other improvements to real property.

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given such term in section 105 of title 5, United States Code, except that such term shall not include the Government Accountability Office.

(3) LABOR ORGANIZATION.—The term ''labor organization'' has the meaning given such term in section 701(d) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(d)).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 231—RECOGNIZING THE HISTORICAL SIGNIFICANCE OF JUNETEENTH INDEPENDENCE DAY AND EXPRESSING THE SENSE OF THE SENATE THAT HISTORY SHOULD BE REGARDED AS A MEANS FOR UNDERSTANDING THE PAST AND SOLVING THE CHALLENGES OF THE FUTURE

Mr. DURBIN (for himself, Mr. LEVIN, Mr. REID, Mr. OBAMA, Ms. STABENOW, and Mr. BROWNBACK) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 231

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2 years after President Lincoln's Emancipation Proclamation of January 1, 1863, and months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African Americans who had been slaves in the Southwest celebrated June 19, commonly known as ''Juneteenth Independence Day'', as the anniversary of their emancipation;

Whereas African Americans from the Southwest continue the tradition of celebrating Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas, for more than 140 years, Juneteenth Independence Day celebrations have been held to honor African American freedom while encouraging self-development and respect for all cultures;

Whereas, although Juneteenth Independence Day is beginning to be recognized as a national, and even global, event, the history behind the celebration should not be forgotten; and

Whereas the faith and strength of character demonstrated by former slaves remains an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to understand better the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of the Senate that—

(A) history should be regarded as a means for understanding the past and solving the challenges of the future; and

(B) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States.

Mr. DURBIN. Mr. President, today Senator LEVIN and I are introducing a resolution recognizing the historic Juneteenth Independence Day. June 19 is an ordinary day for many Americans but is a significant day for those who know its history. Juneteenth Independence Day celebrates June 19, 1865, when Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free.

Americans across the United States continue the tradition of celebrating Juneteenth Independence Day as an inspiration and encouragement for future generations. This legislation recognizes the historical significance of Juneteenth Independence Day and supports its continued celebration as an opportunity for the people of the United States to learn more about the past and to understand more fully the experiences that have shaped our nation.

As Americans, we must remember the lessons learned from slavery. Juneteenth is a day that all Americans, of all races, creeds and ethnic backgrounds, can celebrate freedom and the end of slavery in the United States. Therefore, I encourage my colleagues to recognize historic Juneteenth Independence Day and support this important resolution.

SENATE RESOLUTION 232—CONGRATULATING THE UNIVERSITY OF COLORADO AT BOULDER MEN'S CROSS COUNTRY TEAM FOR WINNING THE 2006 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S CROSS COUNTRY CHAMPIONSHIP

Mr. ALLARD (for himself and Mr. SALAZAR) submitted the following resolution; which was considered and agreed to:

S. RES. 232

Whereas, on November 20, 2006, the University of Colorado at Boulder men's cross country team (referred to in this preamble as the ''Colorado Buffaloes'') won the 2006 National Collegiate Athletic Association (NCAA) Division I Men's Cross Country National Championship in Terre Haute, Indiana;

Whereas the Colorado Buffaloes team of junior Brent Vaughn, junior Stephen Pifer, senior Erik Heinonen, junior James Strang, and senior Billy Nelson won the NCAA Cross Country Championships with a score of 94, which was 48 points ahead of their nearest opponent;

Whereas this championship is the Colorado Buffaloes men's cross country team's 3rd national championship and also their 3rd championship in 6 years;

Whereas the Colorado Buffaloes won the Big 12 Conference Championship for the 11th consecutive year and the NCAA Mountain Region Championship for the 4th consecutive year in 2006;

Whereas senior Erik Heinonen and junior Brent Vaughn were named to the United States Track and Field and Cross Country Coaches Association (USTFCCCA) All-Academic Men's Team;

Whereas Colorado Buffaloes Head Coach Mark Wetmore was named USTFCCCA Men's Cross Country Coach of the Year for 2006;

Whereas Colorado Buffaloes Head Coach Mark Wetmore has successfully coached the University of Colorado men's and women's cross country teams to top 10 finishes in all of his 12 years as head coach; and

Whereas this championship marks the 23rd national title in the University of Colorado's athletic history and the 2nd championship of 2006: Now, therefore, be it

Resolved, That the Senate—

(1) Congratulates the University of Colorado men's cross country team, the Colorado Buffaloes, for winning the 2006 NCAA Division I Men's Cross Country Championship;

(2) Recognizes the achievements of all the players, coaches, students, and support staff whose dedication was instrumental in helping the Colorado Buffaloes win the 2006 NCAA Division I Men's Cross Country Championship; and

(3) Respectfully requests the Secretary of the Senate to transmit copies of this resolution to the following for appropriate display—

(A) The University of Colorado at Boulder;

(B) The President of the University of Colorado, Hank Brown;

(C) The Chancellor of the University of Colorado at Boulder, Dr. G.P. ''Bud'' Peterson;

(D) The Athletic Director of the University of Colorado at Boulder, Mike Bohn; and

(E) The Head Coach of The University of Colorado at Boulder men's cross country team, Mark Wetmore.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1505. Mr. INHOFE (for himself and Mr. THUNE) proposed an amendment to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

SA 1506. Mr. STEVENS (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1507. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1508. Mr. BAYH (for himself, Mr. BROWNBACK, Mr. LIEBERMAN, Mr. COLEMAN, Mr. SALAZAR, Mrs. LINCOLN, Ms. CANTWELL, Mr. KERRY, Mr. DODD, Mr. KOHL, Mr. REED, Ms. COLLINS, and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

SA 1509. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table .

SA 1510. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1511. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1512. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1513. Ms. MURKOWSKI (for herself and Mr. STEVENS) submitted an amendment intended to be proposed by her to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1514. Mr. KERRY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1515. Mr. SANDERS (for himself, Mrs. CLINTON, Mr. KERRY, Mr. BIDEN, and Mr. SALAZAR) proposed an amendment to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra.

SA 1516. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1517. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1518. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1519. Mr. KOHL (for himself, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. BIDEN, Ms. SNOWE, Mr. FEINGOLD, Mr. SCHUMER, Mr. COBURN, Mr. DURBIN, Mr. LIEBERMAN, Mrs. BOXER, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1520. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1521. Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1522. Mr. CRAIG submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1523. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1524. Mr. SALAZAR (for himself, Mr. GRASSLEY, Mr. OBAMA, Mr. HARKIN, Mr. HAGEL, Mr. LUGAR, Mr. LIEBERMAN, Mr. FEINGOLD, Mrs. CLINTON, Mr. CASEY, Mr. NELSON, of Nebraska, Mr. BROWNBACK, Mr. KOHL, Mr. KERRY, Mr. JOHNSON, Mr. TESTER, Ms . CANTWELL, Mr. THUNE, and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1525. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1526. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1527. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1505. Mr. INHOFE (for himself and Mr. THUNE) proposed an amendment to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; as follows:

At the end, add the following:

TITLE VIII—GAS PRICE ACT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Gas Petroleum Refiner Improvement and Community Empowerment Act'' or ''Gas PRICE Act''.

SEC. 802. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COAL-TO-LIQUID.—The term ''coal-to-liquid'' means—

(A) with respect to a process or technology, the use of a feedstock, the majority of which is derived from the coal resources of the United States, using the class of reactions known as Fischer-Tropsch, to produce synthetic fuel suitable for transportation; and

(B) with respect to a facility, the portion of a facility related to producing the inputs for the Fischer-Tropsch process, or the finished fuel from the Fischer-Tropsch process, using a feedstock that is primarily domestic coal at the Fischer-Tropsch facility.

(3) DOMESTIC FUELS FACILITY.—

(A) IN GENERAL.—The term ''domestic fuels facility'' means—

(i) a coal liquification or coal-to-liquid facility at which coal is processed into synthetic crude oil or any other transportation fuel;

(ii) a facility that produces a renewable fuel (as defined in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1))); and

(iii) a facility at which crude oil is refined into transportation fuel or other petroleum products.

(B) INCLUSION.—The term ''domestic fuels facility'' includes a domestic fuels facility expansion.

(4) DOMESTIC FUELS FACILITY EXPANSION.—The term ''domestic fuels facility expansion'' means a physical change in a domestic fuels facility that results in an increase in the capacity of the domestic fuels facility.

(5) DOMESTIC FUELS FACILITY PERMITTING AGREEMENT.—The term ''domestic fuels facility permitting agreement'' means an agreement entered into between the Administrator and a State or Indian tribe under subsection (b).

(6) DOMESTIC FUELS PRODUCER.—The term ''domestic fuels producer'' means an individual or entity that—

(A) owns or operates a domestic fuels facility; or

(B) seeks to become an owner or operator of a domestic fuels facility.

(7) INDIAN LAND.—The term ''Indian land'' has the meaning given the term ''Indian lands'' in section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302).

(8) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(9) PERMIT.—The term ''permit'' means any permit, license, approval, variance, or other form of authorization that a refiner is required to obtain—

(A) under any Federal law; or

(B) from a State or Indian tribal government agency delegated with authority by the Federal Government, or authorized under Federal law to issue permits.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(11) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

Subtitle A—Collaborative Permitting Process for Domestic Fuels Facilities

SEC. 811. COLLABORATIVE PERMITTING PROCESS FOR DOMESTIC FUELS FACILITIES.

(a) IN GENERAL.—At the request of the Governor of a State or the governing body of an Indian tribe, the Administrator shall enter into a domestic fuels facility permitting agreement with the State or Indian tribe under which the process for obtaining all permits necessary for the construction and operation of a domestic fuels facility shall be improved using a systematic interdisciplinary multimedia approach as provided in this section.

(b) AUTHORITY OF ADMINISTRATOR.—Under a domestic fuels facility permitting agreement—

(1) the Administrator shall have authority, as applicable and necessary, to—

(A) accept from a refiner a consolidated application for all permits that the domestic fuels producer is required to obtain to construct and operate a domestic fuels facility;

(B) establish a schedule under which each Federal, State, or Indian tribal government agency that is required to make any determination to authorize the issuance of a permit shall—

(i) concurrently consider, to the maximum extent practicable, each determination to be made; and

(ii) complete each step in the permitting process; and

(C) issue a consolidated permit that combines all permits that the domestic fuels producer is required to obtain; and

(2) the Administrator shall provide to State and Indian tribal government agencies—

(A) financial assistance in such amounts as the agencies reasonably require to hire such additional personnel as are necessary to enable the government agencies to comply with the applicable schedule established under paragraph (1)(B); and

(B) technical, legal, and other assistance in complying with the domestic fuels facility permitting agreement.

(c) AGREEMENT BY THE STATE.—Under a domestic fuels facility permitting agreement, a State or governing body of an Indian tribe shall agree that—

(1) the Administrator shall have each of the authorities described in subsection (b); and

(2) each State or Indian tribal government agency shall—

(A) make such structural and operational changes in the agencies as are necessary to enable the agencies to carry out consolidated project-wide permit reviews concurrently and in coordination with the Environmental Protection Agency and other Federal agencies; and

(B) comply, to the maximum extent practicable, with the applicable schedule established under subsection (b)(1)(B).

(d) INTERDISCIPLINARY APPROACH.—

(1) IN GENERAL.—The Administrator and a State or governing body of an Indian tribe shall incorporate an interdisciplinary approach, to the maximum extent practicable, in the development, review, and approval of domestic fuels facility permits subject to this section.

(2) OPTIONS.—Among other options, the interdisciplinary approach may include use of—

(A) environmental management practices; and

(B) third party contractors.

(e) DEADLINES.—

(1) NEW DOMESTIC FUELS FACILITIES.—In the case of a consolidated permit for the construction of a new domestic fuels facility, the Administrator and the State or governing body of an Indian tribe shall approve or disapprove the consolidated permit not later than—

(A) 360 days after the date of the receipt of the administratively complete application for the consolidated permit; or

(B) on agreement of the applicant, the Administrator, and the State or governing body of the Indian tribe, 90 days after the expiration of the deadline established under subparagraph (A).

(2) EXPANSION OF EXISTING DOMESTIC FUELS FACILITIES.—In the case of a consolidated permit for the expansion of an existing domestic fuels facility, the Administrator and the State or governing body of an Indian tribe shall approve or disapprove the consolidated permit not later than—

(A) 120 days after the date of the receipt of the administratively complete application for the consolidated permit; or

(B) on agreement of the applicant, the Administrator, and the State or governing body of the Indian tribe, 30 days after the expiration of the deadline established under subparagraph (A).

(f) FEDERAL AGENCIES.—Each Federal agency that is required to make any determination to authorize the issuance of a permit shall comply with the applicable schedule established under subsection (b)(1)(B).

(g) JUDICIAL REVIEW.—Any civil action for review of any determination of any Federal, State, or Indian tribal government agency in a permitting process conducted under a domestic fuels facility permitting agreement brought by any individual or entity shall be brought exclusively in the United States district court for the district in which the domestic fuels facility is located or proposed to be located.

(h) EFFICIENT PERMIT REVIEW.—In order to reduce the duplication of procedures, the Administrator shall use State permitting and monitoring procedures to satisfy substantially equivalent Federal requirements under this section.

(i) SEVERABILITY.—If 1 or more permits that are required for the construction or operation of a domestic fuels facility are not approved on or before any deadline established under subsection (e), the Administrator may issue a consolidated permit that combines all other permits that the domestic fuels producer is required to obtain other than any permits that are not approved.

(j) SAVINGS.—Nothing in this section affects the operation or implementation of otherwise applicable law regarding permits necessary for the construction and operation of a domestic fuels facility.

(k) CONSULTATION WITH LOCAL GOVERNMENTS.—Congress encourages the Administrator, States, and tribal governments to consult, to the maximum extent practicable, with local governments in carrying out this section.

(l) EFFECT ON LOCAL AUTHORITY.—Nothing in this section affects—

(1) the authority of a local government with respect to the issuance of permits; or

(2) any requirement or ordinance of a local government (such as zoning regulations).

Subtitle B—Environmental Analysis of Fischer-Tropsch Fuels

SEC. 821. EVALUATION OF FISCHER-TROPSCH DIESEL AND JET FUEL AS AN EMISSION CONTROL STRATEGY.

(a) IN GENERAL.—In cooperation with the Secretary of Energy, the Secretary of Defense, the Administrator of the Federal Aviation Administration, Secretary of Health and Human Services, and Fischer-Tropsch industry representatives, the Administrator shall—

(1) conduct a research and demonstration program to evaluate the air quality benefits of ultra-clean Fischer-Tropsch transportation fuel, including diesel and jet fuel;

(2) evaluate the use of ultra-clean Fischer-Tropsch transportation fuel as a mechanism for reducing engine exhaust emissions; and

(3) submit recommendations to Congress on the most effective use and associated benefits of these ultra-clean fuels for reducing public exposure to exhaust emissions.

(b) GUIDANCE AND TECHNICAL SUPPORT.—The Administrator shall, to the extent necessary, issue any guidance or technical support documents that would facilitate the effective use and associated benefit of Fischer-Tropsch fuel and blends.

(c) REQUIREMENTS.—The program described in subsection (a) shall consider—

(1) the use of neat (100 percent) Fischer-Tropsch fuel and blends with conventional crude oil-derived fuel for heavy-duty and light-duty diesel engines and the aviation sector; and

(2) the production costs associated with domestic production of those ultra clean fuel and prices for consumers.

(d) REPORTS.—The Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives—

(1) not later than 180 days after the date of enactment of this Act, an interim report on actions taken to carry out this section; and

(2) not later than 1 year after the date of enactment of this Act, a final report on actions taken to carry out this section.

Subtitle C—Domestic Coal-to-Liquid Fuel and Cellulosic Biomass Ethanol

SEC. 831. ECONOMIC DEVELOPMENT ASSISTANCE TO SUPPORT COMMERCIAL-SCALE CELLULOSIC BIOMASS ETHANOL PROJECTS AND COAL-TO-LIQUIDS FACILITIES ON BRAC PROPERTY AND INDIAN LAND.

(a) PRIORITY.—Notwithstanding section 206 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3146), in awarding funds made available to carry out section 209(c)(1) of that Act (42 U.S.C. 3149(c)(1)) pursuant to section 702 of that Act (42 U.S.C. 3232), the Secretary and the Economic Development Administration shall give priority to projects to support commercial-scale cellulosic biomass ethanol projects and coal-to-liquids facilities.

(b) FEDERAL SHARE.—Except as provided in subsection (c)(3)(B) and notwithstanding the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), the Federal share of a project to support a commercial-scale biomass ethanol facility or coal-to-liquid facility shall be—

(1) 80 percent of the project cost; or

(2) for a project carried out on Indian land, 100 percent of the project cost.

(c) ADDITIONAL AWARD.—

(1) IN GENERAL.—The Secretary shall make an additional award in connection with a grant made to a recipient (including any Indian tribe for use on Indian land) for a project to support a commercial-scale biomass ethanol facility or coal-to-liquid facility.

(2) AMOUNT.—The amount of an additional award shall be 10 percent of the amount of the grant for the project.

(3) USE.—An additional award under this subsection shall be used—

(A) to carry out any eligible purpose under the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.);

(B) notwithstanding section 204 of that Act (42 U.S.C. 3144), to pay up to 100 percent of the cost of an eligible project or activity under that Act; or

(C) to meet the non-Federal share requirements of that Act or any other Act.

(4) NON-FEDERAL SOURCE.—For the purpose of paragraph (3)(C), an additional award shall be treated as funds from a non-Federal source.

(5) FUNDING.—The Secretary shall use to carry out this subsection any amounts made available—

(A) for economic development assistance programs; or

(B) under section 702 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3232).

Subtitle D—Alternative Hydrocarbon and Renewable Reserves Disclosures Classification System

SEC. 841. ALTERNATIVE HYDROCARBON AND RENEWABLE RESERVES DISCLOSURES CLASSIFICATION SYSTEM.

(a) IN GENERAL.—The Securities and Exchange Commission shall appoint a task

force composed of government and private sector representatives, including experts in the field of dedicated energy crop feedstocks for cellulosic biofuels production, to analyze, and submit to Congress a report (including recommendations) on—

(1) modernization of the hydrocarbon reserves disclosures classification system of the Commission to reflect advances in reserves recovery from nontraditional sources (such as deep water, oil shale, tar sands, and renewable reserves for cellulosic biofuels feedstocks); and

(2) the creation of a renewable reserves classification system for cellulosic biofuels feedstocks.

(b) DEADLINE FOR REPORT.—The Commission shall submit the report required under subsection (a) not later than 180 days after the date of enactment of this Act.

Subtitle E—Authorization of Appropriations

SEC. 851. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title and the amendments made by this title.

SA 1506. Mr. STEVENS (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE — ENERGY EFFICIENT LIGHT BULBS

SEC. —01. TECHNICAL STANDARDS FOR GENERAL SERVICE LAMPS.

(a) IN GENERAL.—

(1) ESTABLISHMENT OF STANDARDS.—As soon as practicable after the date of enactment of this Act, the Secretary of Energy shall initiate a project to establish technical standards for general service lamps.

(2) CONSULTATION WITH INTERESTED PARTIES.—In carrying out the project, the Secretary shall consult with representatives of environmental organizations, labor organizations, general service lamp manufacturers, consumer organizations, and other interested parties.

(3) MINIMUM INITIAL STANDARDS; DEADLINE.—The initial technical standards established shall be standards that enable those general service lamps to provide levels of illumination equivalent to the levels of illumination provided by general service lamps generally available in 2007, but with—

(A) a lumens per watt rating of not less than 30 by calendar year 2013; and

(B) a lumens per watt rating of not less than 45 by calendar year 2018.

(b) MANUFACTURE AND DISTRIBUTION IN INTERSTATE COMMERCE.—If the Secretary of Energy, after consultation with the interested parties described in subsection (a)(2), determines that general service lamps meeting the standards established under subsection (a) are generally available for purchase throughout the United States at costs that are substantially equivalent (taking into account useful life, lifecycle costs, domestic manufacturing capabilities, energy consumption, and such other factors as the Secretary deems appropriate) to the cost of the general service lamps they would replace, then the Secretary shall take such action as may be necessary to require that at least 95 percent of general service lamps sold, offered for sale, or otherwise made available in the United States meet the standards established under subsection (a), except for those general service lamps described in subsection (c).

(c) EXCEPTION.—The standards established by the Secretary under subsection (a) shall not apply to general service lamps used in applications in which compliance with those standards is not feasible, as determined by the Secretary.

(d) REVISED STANDARDS.—After the initial standards are established under subsection (a), the Secretary shall consult periodically with the interested parties described in subsection (a)(2) with respect to whether those standards should be changed. The Secretary may change the standards, and the dates and percentage of lamps to which the changed standards apply under subsection (b), if after such consultation the Secretary determines that such changes are appropriate.

(e) REPORT.—The Secretary shall submit reports periodically to the Senate Committee on Commerce, Science, and Technology, the Senate Committee on Energy and Natural Resources, and the House of Representatives Committee on Energy and Commerce with respect to the development and promulgation of standards for lamps and lamp-related technology, such as switches, dimmers, ballast, and non-general service lighting, that includes the Secretary's findings and recommendations with respect to such standards.

SEC. —02. RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—The Secretary of Energy may carry out a lighting technology research and development program—

(1) to support the research, development, demonstration, and commercial application of lamps and related technologies sold, offered for sale, or otherwise made available in the United States; and

(2) to assist manufacturers of general service lamps in the manufacturing of general service lamps that, at a minimum, achieve the lumens per watt ratings described in section —01(a).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2008 through 2013.

(c) SUNSET.—The program under this section shall terminate on September 30, 2015.

SEC. —03. CONSUMER EDUCATION PROGRAM.

(a) IN GENERAL.—The Secretary of Energy, in consultation with the Federal Trade Commission, shall carry out a comprehensive national program to educate consumers about the benefits of using light bulbs that have improved efficiency ratings.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2008 through 2014.

SEC. —04. REPORT ON MERCURY USE AND RELEASE.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in cooperation with the Administrator of the Environmental Protection Agency, shall submit to Congress a report describing recommendations relating to the means by which the Federal Government may reduce or prevent the release of mercury during the manufacture, transportation, storage, or disposal of light bulbs.

SEC. —05. REPORT ON LAMP LABELING.

Not later than 1 year after the date of enactment of this Act, the Federal Trade Commission, in cooperation with the Administrator of the Environmental Protection Agency and the Secretary of Energy, shall submit to Congress a report describing current lamp labeling practices by lamp manufacturers and recommendations for a national labeling standard.

SA 1507. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 133, between lines 29 and 30, insert the following:

(j) IDENTIFICATION CARD STANDARDS.—Notwithstanding any other provision of this Act or the amendments made by this Act—

(1) no Federal agency may require that a driver's license or personal identification card meet the standards specified under the REAL ID Act of 2005 (division B of Public Law 109–13) to establish employment authorization or identity in order to be hired by an employer; and

(2) no Federal funds may be provided to assist States to meet such standards.

SA 1508. Mr. BAYH (for himself, Mr. BROWNBACK, Mr. LIEBERMAN, Mr. COLEMAN, Mr. SALAZAR, Mrs. LINCOLN, Ms. CANTWELL, Mr. KERRY, Mr. DODD, Mr. KOHL, Mr. REED, Ms. COLLINS, and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; as follows:

Strike section 251 and insert the following:

SEC. 251. OIL SAVINGS PLAN AND REQUIREMENTS.

(a) OIL SAVINGS TARGET AND ACTION PLAN.—Not later than 270 days after the date of enactment of this Act, the Director of the Office of Management and Budget (referred to in this section as the ''Director'') shall publish in the Federal Register an action plan consisting of—

(1) a list of requirements proposed or to be proposed pursuant to subsection (b) that are authorized to be issued under law in effect on the date of enactment of this Act, and this Act, that will be sufficient, when taken together, to save from the baseline determined under subsection (e)—

(A) 2,500,000 barrels of oil per day on average during calendar year 2016;

(B) 7,000,000 barrels of oil per day on average during calendar year 2026; and

(C) 10,000,000 barrels per day on average during calendar year 2031; and

(2) a Federal Government-wide analysis demonstrating—

(A) the expected oil savings from the baseline to be accomplished by each requirement; and

(B) that all such requirements, taken together, will achieve the oil savings specified in this subsection.

(b) STANDARDS AND REQUIREMENTS.—

(1) IN GENERAL.—On or before the date of publication of the action plan under subsection (a), the Secretary of Energy, the Secretary of Transportation, the Secretary of Defense, the Secretary of Agriculture, the

Secretary of the Treasury, the Administrator of the Environmental Protection Agency, and the head of any other agency the President determines appropriate shall each propose, or issue a notice of intent to propose, regulations establishing each standard or other requirement listed in the action plan that is under the jurisdiction of the respective agency using authorities described in paragraph (2).

(2) AUTHORITIES.—The head of each agency described in paragraph (1) shall use to carry out this subsection—

(A) any authority in existence on the date of enactment of this Act (including regulations); and

(B) any new authority provided under this Act (including an amendment made by this Act).

(3) FINAL REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the head of each agency described in paragraph (1) shall promulgate final versions of the regulations required under this subsection.

(4) CONTENT OF REGULATIONS.—Each proposed and final regulation promulgated under this subsection shall—

(A) be sufficient to achieve at least the oil savings resulting from the regulation under the action plan published under subsection (a); and

(B) be accompanied by an analysis by the applicable agency demonstrating that the regulation will achieve the oil savings from the baseline determined under subsection (e).

(c) INITIAL EVALUATION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Director shall—

(A) publish in the Federal Register a Federal Government-wide analysis of—

(i) the oil savings achieved from the baseline established under subsection (e); and

(ii) the expected oil savings under the standards and requirements of this Act (and amendments made by this Act); and

(B) determine whether oil savings will meet the targets established under subsection (a).

(2) INSUFFICIENT OIL SAVINGS.—If the oil savings are less than the targets established under subsection (a), simultaneously with the analysis required under paragraph (1)—

(A) the Director shall publish a revised action plan that is sufficient to achieve the targets; and

(B) the head of each agency referred to in subsection (b)(1) shall propose new or revised regulations that are sufficient to achieve the targets under paragraphs (1), (2), and (3), respectively, of subsection (b).

(3) FINAL REGULATIONS.—Not later than 180 days after the date on which regulations are proposed under paragraph (2)(B), the head of each agency referred to in subsection (b)(1) shall promulgate final versions of those regulations that comply with subsection (b)(1).

(d) REVIEW AND UPDATE OF ACTION PLAN.—

(1) REVIEW.—Not later than January 1, 2011, and every 3 years thereafter, the Director shall submit to Congress, and publish, a report that—

(A) evaluates the progress achieved in implementing the oil savings targets established under subsection (a);

(B) analyzes the expected oil savings under the standards and requirements established under this Act and the amendments made by this Act; and

(C)(i) analyzes the potential to achieve oil savings that are in addition to the savings required by subsection (a); and

(ii) if the President determines that it is in the national interest, establishes a higher oil savings target for calendar year 2017 or any subsequent calendar year.

(2) INSUFFICIENT OIL SAVINGS.—If the oil savings are less than the targets established under subsection (a), simultaneously with the report required under paragraph (1)—

(A) the Director shall publish a revised action plan that is sufficient to achieve the targets; and

(B) the head of each agency referred to in subsection (b)(1) shall propose new or revised regulations that are sufficient to achieve the targets under paragraphs (1), (2), and (3), respectively, of subsection (b).

(3) FINAL REGULATIONS.—Not later than 180 days after the date on which regulations are proposed under paragraph (2)(B), the head of each agency referred to in subsection (b)(1) shall promulgate final versions of those regulations that comply with subsection (b)(1).

(e) BASELINE AND ANALYSIS REQUIREMENTS.—In performing the analyses and promulgating proposed or final regulations to establish standards and other requirements necessary to achieve the oil savings required by this section, the Secretary of Energy, the Secretary of Transportation, the Secretary of Defense, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, and the head of any other agency the President determines to be appropriate shall—

(1) determine oil savings as the projected reduction in oil consumption from the baseline established by the reference case contained in the report of the Energy Information Administration entitled ''Annual Energy Outlook 2005'';

(2) determine the oil savings projections required on an annual basis for each of calendar years 2009 through 2026; and

(3) account for any overlap among the standards and other requirements to ensure that the projected oil savings from all the promulgated standards and requirements, taken together, are as accurate as practicable.

(f) NONREGULATORY MEASURES.—The action plan required under subsection (a) and the revised action plans required under subsections (c) and (d) shall include—

(1) a projection of the barrels of oil displaced by efficiency and sources of energy other than oil, including biofuels, electricity, and hydrogen; and

(2) a projection of the barrels of oil saved through enactment of this Act and the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.).

SA 1509. Mr. CRAIG submitted an amendment intended to be proposed by him the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—THOR KIILSGAARD MEMORIAL GEOLOGIC MAPPING REAUTHORIZATION ACT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Thor Kiilsgaard Memorial Geologic Mapping Reauthorization Act of 2007''.

SEC. 802. FINDINGS.

Section 2(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31a(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) although significant progress has been made in the production of geologic maps since the establishment of the national cooperative geologic mapping program in 1992, no modern, digital, geologic map exists for approximately 75 percent of the United States;''; and

(2) in paragraph (2)—

(A) in subparagraph (C), by inserting ''homeland and'' after ''planning for'';

(B) in subparagraph (E), by striking ''predicting'' and inserting ''identifying'';

(C) in subparagraph (I), by striking ''and'' after the semicolon at the end;

(D) by redesignating subparagraph (J) as subparagraph (K); and

(E) by inserting after subparagraph (I) the following:

''(J) recreation and public awareness; and''; and

(3) in paragraph (9), by striking ''important'' and inserting ''available''.

SEC. 803. PURPOSE.

Section 2(b) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31a(b)) is amended by inserting ''and management'' before the period at the end.

SEC. 804. DEADLINES FOR ACTIONS BY THE UNITED STATES GEOLOGICAL SURVEY.

Section 4(b)(1) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c(b)(1)) is amended in the second sentence—

(1) in subparagraph (A), by striking ''not later than'' and all that follows through the semicolon and inserting ''not later than 1 year after the date of enactment of the Thor Kiilsgaard Memorial Geologic Mapping Reauthorization Act of 2007;'';

(2) in subparagraph (B), by striking ''not later than'' and all that follows through ''in accordance'' and inserting ''not later than 1 year after the date of enactment of the Thor Kiilsgaard Memorial Geologic Mapping Reauthorization Act of 2007 in accordance''; and

(3) in the matter preceding clause (i) of subparagraph (C), by striking ''not later than'' and all that follows through ''submit'' and inserting ''submit biennially''.

SEC. 805. GEOLOGIC MAPPING PROGRAM OBJECTIVES.

Section 4(c)(2) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c(c)(2)) is amended—

(1) by striking ''geophysical-map data base, geochemical-map data base, and a''; and

(2) by striking ''provide'' and inserting ''provides''.

SEC. 806. GEOLOGIC MAPPING PROGRAM COMPONENTS.

Section 4(d)(1)(B)(ii) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c(d)(1)(B)(ii)) is amended—

(1) in subclause (I), by striking ''and'' after the semicolon at the end;

(2) in subclause (II), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(III) the needs of land management agencies of the Department of the Interior.''.

SEC. 807. GEOLOGIC MAPPING ADVISORY COMMITTEE.

(a) MEMBERSHIP.—Section 5(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(a)) is amended—

(1) in paragraph (2)—

(A) by inserting ''the Secretary of the Interior or a designee from a land management agency of the Department of the Interior,'' after ''Administrator of the Environmental Protection Agency or a designee,'';

(B) by inserting ''and'' after ''Energy or a designee,''; and

(C) by striking '', and the Assistant to the President for Science and Technology or a designee''; and

(2) in paragraph (3)—

(A) by striking ''Not later than'' and all that follows through ''consultation'' and inserting ''In consultation'';

(B) by striking ''Chief Geologist, as Chairman'' and inserting ''Associate Director for Geology, as Chair''; and

(C) by striking ''one representative from the private sector'' and inserting ''2 representatives from the private sector''.

(b) DUTIES.—Section 5(b) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(b)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

''(3) provide a scientific overview of geologic maps (including maps of geologic-based hazards) used or disseminated by Federal agencies for regulation or land-use planning; and''.

(c) CONFORMING AMENDMENT.—Section 5(a)(1) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(a)(1)) is amended by striking ''10-member'' and inserting ''11-member''.

SEC. 808. FUNCTIONS OF NATIONAL GEOLOGIC-MAP DATABASE.

Section 7(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31f(a)) is amended—

(1) in paragraph (1), by striking ''geologic map'' and inserting ''geologic-map''; and

(2) in paragraph (2), by striking subparagraph (A) and inserting the following:

''(A) all maps developed with funding provided by the National Cooperative Geologic Mapping Program, including under the Federal, State, and education components;''.

SEC. 809. BIENNIAL REPORT.

Section 8 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31g) is amended by striking ''Not later'' and all that follows through ''biennially'' and inserting ''Not later than 3 years after the date of enactment of the Thor Kiilsgaard Memorial Geologic Mapping Reauthorization Act of 2007 and biennially''.

SEC. 810. AUTHORIZATION OF APPROPRIATIONS; ALLOCATION.

Section 9 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31h) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $64,000,000 for each of fiscal years 2007 through 2016.''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''2000'' and inserting ''2005'';

(B) in paragraph (1), by striking ''48'' and inserting ''50''; and

(C) in paragraph (2), by striking 2 and inserting ''4''.

SA 1510. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewable Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 314, after line 2, add the following:

SEC. 708. INCREASE IN CAPACITY OF STRATEGIC PETROLEUM RESERVE.

(a) STRATEGIC PETROLEUM RESERVE.—

(1) POLICY.—Section 151(b) of the Energy Policy and Conservation Act (42 U.S.C. 6231(b)) is amended by striking ''1 billion'' and inserting ''1,500,000,000''.

(2) CREATION.—Section 154(a) of the Energy Policy and Conservation Act (42 U.S.C. 6234(a)) is amended by striking ''1 billion'' and inserting ''1,500,000,000''.

(b) FILLING STRATEGIC PETROLEUM RESERVE TO CAPACITY.—Section 301(e) of the Energy Policy Act of 2005 (42 U.S.C. 6240 note; Public Law 109–58) is amended by striking ''1,000,000,000-barrel'' and inserting ''1,500,000,000-barrel''.

SA 1511. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewable Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 277, between lines 5 and 6, insert the following:

SEC. 521. STUDY OF CAFE STANDARDS FOR COMMERCIAL TRUCKS.

(a) STUDY.—The Administrator of the National Highway Traffic Safety Administration shall conduct a study of the anticipated economic impacts and fuel saving benefits that would result from a requirement that all vehicles manufactured for sale in the United States with a gross vehicle weight of not less than 10,000 pounds meet specific average fuel economy standards.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall submit a report to Congress that includes—

(1) the results of the study conducted under subsection (a); and

(2) a recommendation on whether the vehicles described in subsection (a) should be subject to average fuel economy standards.

SA 1512. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewable Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

In section 215(b), strike paragraph (1) and insert the following:

(1) IN GENERAL.—The Secretary shall use amounts appropriated under this section to make grants for use in carrying out, with respect to a renewable energy project—

(A) a finance feasibility or reconnaissance study;

(B) energy resource monitoring;

(C) construction of the renewable energy project; or

(D) construction or installation of transmission and distribution infrastructure associated with the renewable energy project, including power lines necessary to connect the renewable energy project to a distribution grid for the purpose of distributing energy generated by the renewable energy project.

SA 1513. Ms. MURKOWSKI (for herself and Mr. STEVENS) submitted an amendment intended to be proposed by her to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ADMINISTRATION.

Section 106 of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720d) is amended by adding at the end the following:

''(h) ADMINISTRATION.—

''(1) PERSONNEL APPOINTMENTS.—

''(A) IN GENERAL.—The Federal Coordinator may appoint and terminate such personnel as the Federal Coordinator determines to be appropriate.

''(B) AUTHORITY OF FEDERAL COORDINATOR.—Personnel appointed by the Federal Coordinator under subparagraph (A) shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

''(2) COMPENSATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), personnel appointed by the Federal Coordinator under paragraph (1)(A) shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification and General Schedule pay rates).

''(B) MAXIMUM LEVEL OF COMPENSATION.—The rate of pay for personnel appointed by the Federal Coordinator under paragraph (1)(A) shall not exceed the maximum level of rate payable for level III of the Executive Schedule.

''(C) APPLICABILITY OF SECTION 5941.—Section 5941 of title 5, United States Code, shall apply to personnel appointed by the Federal Coordinator under paragraph (1)(A).

''(3) TEMPORARY SERVICES.—

''(A) IN GENERAL.—The Federal Coordinator may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code.

''(B) MAXIMUM LEVEL OF COMPENSATION.—The level of compensation of an individual employed on a temporary or intermittent basis under subparagraph (A) shall not exceed the maximum level of rate payable for level III of the Executive Schedule.

''(4) FEES, CHARGES, AND COMMISSIONS.—

''(A) IN GENERAL.—The Federal Coordinator shall have the authority to establish, change, and abolish reasonable filing and service fees, charges, and commissions, require deposits of payments, and provide refunds as provided to the Secretary of the Interior in section 304 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1734), except that the authority shall be with respect to the duties of the Federal Coordinator, as delineated in the Alaska Natural Gas Pipeline Act (15 U.S.C. 720 et seq.), as amended.

''(B) AUTHORITY OF SECRETARY OF THE INTERIOR.—Subparagraph (A) shall not affect the authority of the Secretary of the Interior to establish, change, and abolish reasonable filing and service fees, charges, and commissions, require deposits of payments, and provide refunds under section 304 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1734).

''(C) USE OF FUNDS.—The Federal Coordinator is authorized to use, without further

appropriation, amounts collected under subparagraph (A) to carry out this section.''.

SEC. _____. CLARIFICATION OF AUTHORITY.

Section 107(a) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720e(a)) is amended by striking paragraph (3) and inserting the following:

''(3) the validity of any determination, permit, approval, authorization, review, or other related action taken under any provision of law relating to a gas transportation project constructed and operated in accordance with section 103, including—

''(A) subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act');

''(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(D) the National Historic Preservation Act (16 U.S.C. 470 et seq.); and

''(E) the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).''.

SA 1514. Mr. KERRY (for himself and Mr. SANDERS) submitted an amendment intended to be propsoed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewable Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RENEWABLE PORTFOLIO STANDARD.

(a) IN GENERAL.—Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.) is amended by adding at the end the following:

''SEC. 610. FEDERAL RENEWABLE PORTFOLIO STANDARD.

''(a) RENEWABLE ENERGY REQUIREMENT.—

''(1) IN GENERAL.—Each electric utility that sells electricity to electric consumers shall obtain a percentage of the base amount of electricity it sells to electric consumers in any calendar year from new renewable energy or existing renewable energy. The percentage obtained in a calendar year shall not be less than the amount specified in the following table:

''Calendar year:	Minimum annual percentage:
2009 through 2012	5
2013 through 2016	10
2017 through 2019	15
2020 through 2030	20

''(2) MEANS OF COMPLIANCE.—An electric utility shall meet the requirements of paragraph (1) by—

''(A) submitting to the Secretary renewable energy credits issued under subsection (b);

''(B) making alternative compliance payments to the Secretary at the rate of 2 cents per kilowatt hour (as adjusted for inflation under subsection (g)); or

''(C) a combination of activities described in subparagraphs (A) and (B).

''(b) FEDERAL RENEWABLE ENERGY CREDIT TRADING PROGRAM.—

''(1) IN GENERAL.—Not later than July 1, 2008, the Secretary shall establish a Federal renewable energy credit trading program under which electric utilities shall submit to the Secretary renewable energy credits to certify the compliance of the electric utilities with respect to obligations under subsection (a)(1).

''(2) ADMINISTRATION.—As part of the program, the Secretary shall—

''(A) issue tradeable renewable energy credits to generators of electric energy from new renewable energy;

''(B) issue nontradeable renewable energy credits to generators of electric energy from existing renewable energy;

''(C) issue renewable energy credits to electric utilities associated with State renewable portfolio standard compliance mechanisms pursuant to subsection (h);

''(D) ensure that a kilowatt hour, including the associated renewable energy credit, shall be used only once for purposes of compliance with this Act;

''(E) allow double credits for generation from facilities on Indian land, and triple credits for generation from small renewable distributed generators (meaning those no larger than 1 megawatt); and

''(F) ensure that, with respect to a purchaser that, as of the date of enactment of this section, has a purchase agreement from a renewable energy facility placed in service before that date, the credit associated with the generation of renewable energy under the contract is issued to the purchaser of the electric energy to the extent that the contract does not already provide for the allocation of the Federal credit.

''(3) DURATION.—A credit described in subparagraph (A), (B), or (C) of paragraph (2) may only be used for compliance with this section during the 3-year period beginning on the date of issuance of the credit.

''(4) TRANSFERS.—An electric utility that holds credits in excess of the quantity of credits needed to comply with subsection (a) may transfer the credits to another electric utility in the same utility holding company system.

''(5) DELEGATION OF MARKET FUNCTION.—The Secretary may delegate to an appropriate market-making entity the administration of a national tradeable renewable energy credit market for purposes of creating a transparent national market for the sale or trade of renewable energy credits.

''(c) ENFORCEMENT.—

''(1) CIVIL PENALTIES.—Any electric utility that fails to meet the compliance requirements of subsection (a) shall be subject to a civil penalty.

''(2) AMOUNT OF PENALTY.—The amount of the civil penalty shall be determined by multiplying the number of kilowatt-hours of electric energy sold to electric consumers in violation of subsection (a) by the greater of—

''(A) the value of the alternative compliance payment, as adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor; or

''(B) 200 percent of the average market value of renewable energy credits during the year in which the violation occurred.

''(3) MITIGATION OR WAIVER.—The Secretary may mitigate or waive a civil penalty under this subsection if the electric utility was unable to comply with subsection (a) for reasons outside of the reasonable control of the utility. The Secretary shall reduce the amount of any penalty determined under paragraph (2) by an amount paid by the electric utility to a State for failure to comply with the requirement of a State renewable energy program if the State requirement is greater than the applicable requirement of subsection (a).

''(4) PROCEDURE FOR ASSESSING PENALTY.—The Secretary shall assess a civil penalty under this subsection in accordance with the procedures prescribed by section 333(d) of the Energy Policy and Conservation Act of 1954 (42 U.S.C. 6303).

''(d) STATE RENEWABLE ENERGY ACCOUNT PROGRAM.—

''(1) IN GENERAL.—There is established in the Treasury a State renewable energy account program.

''(2) DEPOSITS.—All money collected by the Secretary from alternative compliance payments and the assessment of civil penalties under this section shall be deposited into the renewable energy account established pursuant to this subsection.

''(3) USE.—Proceeds deposited in the State renewable energy account shall be used by the Secretary, subject to appropriations, for a program to provide grants to the State agency responsible for developing State energy conservation plans under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322) for the purposes of promoting renewable energy production, including programs that promote technologies that reduce the use of electricity at customer sites such as solar water heating.

''(4) ADMINISTRATION.—The Secretary may issue guidelines and criteria for grants awarded under this subsection. State energy offices receiving grants under this section shall maintain such records and evidence of compliance as the Secretary may require.

''(5) PREFERENCE.—In allocating funds under this program, the Secretary shall give preference—

''(A) to States in regions which have a disproportionately small share of economically sustainable renewable energy generation capacity; and

''(B) to State programs to stimulate or enhance innovative renewable energy technologies.

''(e) RULES.—The Secretary shall issue rules implementing this section not later than 1 year after the date of enactment of this section.

''(f) EXEMPTIONS.—This section shall not apply in any calendar year to an electric utility—

''(1) that sold less than 4,000,000 megawatt-hours of electric energy to electric consumers during the preceding calendar year; or

''(2) in Hawaii.

''(g) INFLATION ADJUSTMENT.—Not later than December 31 of each year beginning in 2008, the Secretary shall adjust for inflation the rate of the alternative compliance payment under subsection (a)(2)(B) and the amount of the civil penalty per kilowatt-hour under subsection (c)(2).

''(h) STATE PROGRAMS.—

''(1) IN GENERAL.—Nothing in this section diminishes any authority of a State or political subdivision of a State to adopt or enforce any law or regulation respecting renewable energy or the regulation of electric utilities, but, except as provided in subsection (c)(3), no such law or regulation shall relieve any person of any requirement otherwise applicable under this section. The Secretary, in consultation with States having such renewable energy programs, shall, to the maximum extent practicable, facilitate coordination between the Federal program and State programs.

''(2) REGULATIONS.—

''(A) IN GENERAL.—The Secretary, in consultation with States, shall promulgate regulations to ensure that an electric utility that is subject to the requirements of this section and is subject to a State renewable energy standard receives renewable energy credits if—

''(i) the electric utility complies with State standard by generating or purchasing renewable electric energy or renewable energy certificates or credits; or

''(ii) the State imposes or allows other mechanisms for achieving the State standard, including the payment of taxes, fees, surcharges, or other financial obligations.

''(B) AMOUNT OF CREDITS.—The amount of credits received by an electric utility under this subsection shall equal—

''(i) in the case of subparagraph (A)(i), the renewable energy resulting from the generation or purchase by the electric utility of existing renewable energy or new renewable energy; and

''(ii) in the case of subparagraph (A)(ii), the pro rata share of the electric utility, based on the contributions to the mechanism made by the electric utility or customers of the electric utility, in the State, of the renewable energy resulting from those mechanisms.

''(C) PROHIBITION ON DOUBLE COUNTING.—The regulations promulgated under this paragraph shall ensure that a kilowatt-hour associated with a renewable energy credit issued pursuant to this subsection shall not be used for compliance with this section more than once.

''(i) DEFINITIONS.—In this section:

''(1) BASE AMOUNT OF ELECTRICITY.—The term 'base amount of electricity' means the total amount of electricity sold by an electric utility to electric consumers in a calendar year, excluding—

''(A) electricity generated by a hydroelectric facility (including a pumped storage facility but excluding incremental hydropower); and

''(B) electricity generated through the incineration of municipal solid waste.

''(2) DISTRIBUTED GENERATION FACILITY.—The term 'distributed generation facility' means a facility at a customer site.

''(3) EXISTING RENEWABLE ENERGY.—The term 'existing renewable energy' means, except as provided in paragraph (7)(B), electric energy generated at a facility (including a distributed generation facility) placed in service prior to January 1, 2001, from solar, wind, or geothermal energy, ocean energy, biomass (as defined in section 203(a) of the Energy Policy Act of 2005), or landfill gas.

''(4) GEOTHERMAL ENERGY.—The term 'geothermal energy' means energy derived from a geothermal deposit (within the meaning of section 613(e)(2) of the Internal Revenue Code of 1986).

''(5) INCREMENTAL GEOTHERMAL PRODUCTION.—

''(A) IN GENERAL.—The term 'incremental geothermal production' means for any year the excess of—

''(i) the total kilowatt hours of electricity produced from a facility (including a distributed generation facility) using geothermal energy; over

''(ii) the average annual kilowatt hours produced at such facility for 5 of the previous 7 calendar years before the date of enactment of this section after eliminating the highest and the lowest kilowatt hour production years in such 7-year period.

''(B) SPECIAL RULE.—A facility described in subparagraph (A) that was placed in service at least 7 years before the date of enactment of this section shall, commencing with the year in which such date of enactment occurs, reduce the amount calculated under subparagraph (A)(ii) each year, on a cumulative basis, by the average percentage decrease in the annual kilowatt hour production for the 7-year period described in subparagraph (A)(ii) with such cumulative sum not to exceed 30 percent.

''(6) INCREMENTAL HYDROPOWER.—The term 'incremental hydropower' means additional energy generated as a result of efficiency improvements or capacity additions made on or after January 1, 2001, or the effective date of an existing applicable State renewable portfolio standard program at a hydroelectric facility that was placed in service before that date. The term does not include additional energy generated as a result of operational changes not directly associated with efficiency improvements or capacity additions. Efficiency improvements and capacity additions shall be measured on the basis of the same water flow information used to determine a historic average annual generation baseline for the hydroelectric facility and certified by the Secretary or the Federal Energy Regulatory Commission.

''(7) NEW RENEWABLE ENERGY.—The term 'new renewable energy' means—

''(A) electric energy generated at a facility (including a distributed generation facility) placed in service on or after January 1, 2001, from—

''(i) solar, wind, or geothermal energy or ocean energy;

''(ii) biomass (as defined in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b));

''(iii) landfill gas; or

''(iv) incremental hydropower; and

''(B) for electric energy generated at a facility (including a distributed generation facility) placed in service before January 1, 2001—

''(i) the additional energy above the average generation during the period beginning on January 1, 1998, and ending on January 1, 2001, at the facility from—

''(I) solar or wind energy or ocean energy;

''(II) biomass (as defined in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b));

''(III) landfill gas; or

''(IV) incremental hydropower; and

''(ii) incremental geothermal production.

''(8) OCEAN ENERGY.—The term 'ocean energy' includes current, wave, tidal, and thermal energy.

''(j) SUNSET.—This section expires on December 31, 2030.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. prec. 2601) is amended by adding at the end of the items relating to title VI the following:

''Sec. 610. Federal renewable portfolio standard.''.

SA 1515. Mr. SANDERS (for himself, Mrs. CLINTON, Mr. KERRY, Mr. BIDEN, and Mr. SALAZAR) proposed an amendment to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; as follows:

Strike section 277, and insert the following:

SEC. 277. ENERGY EFFICIENCY AND RENEWABLE ENERGY WORKER TRAINING PROGRAM.

Section 1101 of the Energy Policy Act of 2005 (42 U.S.C. 16411) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c), the following:

''(d) ENERGY EFFICIENCY AND RENEWABLE ENERGY WORKER TRAINING PROGRAM.—

''(1) PURPOSE.—It is the purpose of this subsection to—

''(A) create a sustainable, comprehensive public program that provides quality training that is linked to jobs that are created through renewable energy and energy efficiency initiatives;

''(B) satisfy industry demand for a skilled workforce, to support economic growth, to boost America's global competitiveness in the expanding energy efficiency and renewable energy industries, and to provide economic self-sufficiency and family-sustaining jobs for America's workers, including low wage workers, through quality training and placement in job opportunities in the growing energy efficiency and renewable energy industries;

''(C) provide grants for the safety, health, and skills training and education of workers who are, or may be engaged in, activities related to the energy efficiency and renewable energy industries; and

''(D) provide funds for national and State industry-wide research, labor market information and labor exchange programs, and the development of nationally and State administered training programs.

''(2) GRANT PROGRAM.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of Labor (referred to in this subsection as the 'Secretary'), in consultation with the Secretary of Energy, shall establish an energy efficiency and renewable energy worker training program under which the Secretary shall carry out the activities described in paragraph (3) to achieve the purposes of this subsection.

''(B) ELIGIBILITY.—For purposes of providing assistance and services under the program established under this subsection—

''(i) target populations of individuals eligible for training and other services shall include, but not be limited to—

''(I) veterans, or past and present members of the reserve components of the Armed Forces;

''(II) workers affected by national energy and environmental policy;

''(III) workers displaced by the impacts of economic globalization;

''(IV) individuals, including at-risk youth, seeking employment pathways out of poverty and into economic self-sufficiency;

''(V) formerly incarcerated, adjudicated, non-violent offenders; and

''(VI) individuals in need of updated training related to the energy efficiency and renewable energy industries; and

''(ii) energy efficiency and renewable energy industries eligible for such assistance and services shall include—

''(I) the energy-efficient building, construction, and retrofits industries;

''(II) the renewable electric power industry;

''(III) the energy efficient and advanced drive train vehicle industry;

''(IV) the bio-fuels industry; and

''(V) the deconstruction and materials use industries.

''(3) ACTIVITIES.—

''(A) NATIONAL RESEARCH PROGRAM.—Under the program established under paragraph (2), the Secretary, acting through the Bureau of Labor Statistics, shall provide assistance to support national research to develop labor market data and to track future workforce trends resulting from energy-related initiatives carried out under this section. Activities carried out under this paragraph shall include—

''(i) linking research and development in renewable energy and energy efficiency technology with the development of standards and curricula for current and future jobs;

''(ii) the tracking and documentation of academic and occupational competencies as well as future skill needs with respect to renewable energy and energy efficiency technology;

''(iii) tracking and documentation of occupational information and workforce training data with respect to renewable energy and energy efficiency technology;

''(iv) assessing new employment and work practices including career ladder and upgrade training as well as high performance work systems; and

''(v) collaborating with State agencies, industry, organized labor, and community and nonprofit organizations to disseminate successful innovations for labor market services and worker training with respect to renewable energy and energy efficiency technology.

''(B) NATIONAL ENERGY TRAINING PARTNERSHIP GRANTS.—

''(i) IN GENERAL.—Under the program established under paragraph (2), the Secretary shall award National Energy Training Partnerships Grants on a competitive basis to eligible entities to enable such entities to carry out national training that leads to economic self-sufficiency and to develop an energy efficiency and renewable energy industries workforce. Grants shall be awarded under this subparagraph so as to ensure geographic diversity with at least 2 grants awarded to entities located in each of the 4 Petroleum Administration for Defense Districts with no subdistricts and at least 1 grant awarded to an entity located in each of the subdistricts of the Petroleum Administration for Defense District with subdistricts.

''(ii) ELIGIBILITY.—To be eligible to receive a grant under clause (i), an entity shall be a non-profit partnership that—

''(I) includes the equal participation of industry, including public or private employers, and labor organizations, including joint labor-management training programs, and may include community-based organizations, educational institutions, small businesses, cooperatives, State and local veterans agencies, and veterans service organizations; and

''(II) demonstrates—

''(aa) experience in implementing and operating worker skills training and education programs;

''(bb) the ability to identify and involve in training programs carried out under this grant, target populations of workers who are, or will be engaged in, activities related to energy efficiency and renewable energy industries; and

''(cc) the ability to help workers achieve economic self-sufficiency.

''(iii) ACTIVITIES.—Activities to be carried out under a grant under this subparagraph may include—

''(I) the provision of occupational skills training, including curriculum development, on-the-job training, and classroom training;

''(II) the provision of safety and health training;

''(III) the provision of basic skills, literacy, GED, English as a second language, and job readiness training;

''(IV) individual referral and tuition assistance for a community college training program;

''(V) the provision of customized training in conjunction with an existing registered apprenticeship program or labor-management partnership;

''(VI) the provision of career ladder and upgrade training; and

''(VII) the implementation of transitional jobs strategies.

''(C) STATE LABOR MARKET RESEARCH, INFORMATION, AND LABOR EXCHANGE RESEARCH PROGRAM.—

''(i) IN GENERAL.—Under the program established under paragraph (2), the Secretary shall award competitive grants to States to enable such States to administer labor market and labor exchange informational programs that include the implementation of the activities described in clause (ii).

''(ii) ACTIVITIES.—A State shall use amounts awarded under a grant under this subparagraph to provide funding to the State agency that administers the Wagner-Peyser Act and State unemployment compensation programs to carry out the following activities using State agency merit staff:

''(I) The identification of job openings in the renewable energy and energy efficiency sector.

''(II) The administration of skill and aptitude testing and assessment for workers.

''(III) The counseling, case management, and referral of qualified job seekers to openings and training programs, including energy efficiency and renewable energy training programs.

''(D) STATE ENERGY TRAINING PARTNERSHIP PROGRAM.—

''(i) IN GENERAL.—Under the program established under paragraph (2), the Secretary shall award competitive grants to States to enable such States to administer renewable energy and energy efficiency workforce development programs that include the implementation of the activities described in clause (ii).

''(ii) ACTIVITIES.—

''(I) IN GENERAL.—A State shall use amounts awarded under a grant under this subparagraph to award competitive grants to eligible State Energy Sector Partnerships to enable such Partnerships to coordinate with existing apprenticeship and labor management training programs and implement training programs that lead to the economic self-sufficiency of trainees.

''(II) ELIGIBILITY.—To be eligible to receive a grant under this subparagraph, a State Energy Sector Partnership shall—

''(aa) consist of non-profit organizations that include equal participation from industry, including public or private nonprofit employers, and labor organizations, including joint labor-management training programs, and may include representatives from local governments, worker investment agency one-stop career centers, community based organizations, community colleges, other post-secondary institutions, small businesses, cooperatives, State and local veterans agencies, and veterans service organizations;

''(bb) demonstrate experience in implementing and operating worker skills training and education programs; and

''(cc) demonstrate the ability to identify and involve in training programs, target populations of workers who are, or will be engaged in, activities related to energy efficiency and renewable energy industries.

''(iii) PRIORITY.—In awarding grants under this subparagraph, the Secretary shall give priority to States that demonstrate linkages of activities under the grant with—

''(I) meeting national energy policies associated with energy efficiency, renewable energy, and the reduction of emissions of greenhouse gases; and

''(II) meeting State energy policies associated with energy efficiency, renewable energy, and the reduction of emissions of greenhouse gases.

''(iv) COORDINATION.—A grantee under this subparagraph shall coordinate activities carried out under the grant with existing apprenticeship and labor management training programs and implement training programs that lead to the economic self-sufficiency of trainees, including providing—

''(I) outreach and recruitment services, in coordination with the appropriate State agency;

''(II) occupational skills training, including curriculum development, on-the-job training, and classroom training;

''(III) safety and health training;

''(IV) basic skills, literacy, GED, English as a second language, and job readiness training;

''(V) individual referral and tuition assistance for a community college training program;

''(VI) customized training in conjunction with an existing registered apprenticeship program or labor-management partnership;

''(VII) career ladder and upgrade training; and

''(VIII) services under transitional jobs strategies.

''(4) WORKER PROTECTIONS AND NONDISCRIMINATION REQUIREMENTS.—

''(A) APPLICATION OF WIA.—The provisions of sections 181 and 188 of the Workforce Investment Act of 1998 (29 U.S.C. 2931 and 2938) shall apply to all programs carried out with assistance under this subsection.

''(B) CONSULTATION WITH LABOR ORGANIZATIONS.—If a labor organization represents a substantial number of workers who are engaged in similar work or training in an area that is the same as the area that is proposed to be funded under this subsection, the labor organization shall be provided an opportunity to be consulted and to submit comments in regard to such a proposal.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection, $100,000,000 for each fiscal year, of which—

''(A) not to exceed 20 percent of the amount appropriated in each fiscal year shall be made available for, and shall be equally divided between, national labor market research and information under paragraph (3)(A) and State labor market information and labor exchange research under paragraph (3)(C); and

''(B) the remainder shall be divided equally between National Energy Partnership Training Grants under paragraph (3)(B) and State energy training partnership grants under paragraph (3)(D).

''(6) DEFINITION.—In this subsection, the term 'renewable electric power' has the meaning given the term 'renewable energy' in section 203(b)(2) of the Energy Policy Act of 2005 (Public Law 109–58).''.

SA 1516. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—MISCELLANEOUS

SEC. 801. STUDY OF THE EFFECT OF PRIVATE WIRE LAWS ON THE DEVELOPMENT OF COMBINED HEAT AND POWER FACILITIES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the States and other appropriate entities, shall conduct a study of the laws (including regulations) limiting the siting of privately owned electric distribution wires on and across public rights-of-way.

(2) REQUIREMENTS.—The study under paragraph (1) shall include—

(A) an evaluation of the effect the laws have on the development of combined heat and power facilities; and

(B) a determination of whether a change in the laws would create any operating problems for electric utilities.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study conducted under subsection (a).

SA 1517. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title II, insert the following:

SEC. 2___. DEFINITION OF STATE.

Section 412 of the Energy Conservation and Production Act (42 U.S.C. 6862) is amended by striking paragraph (8) and inserting the following:

''(8) STATE.—The term 'State' means—

''(A) a State;

''(B) the District of Columbia; and

''(C) the Commonwealth of Puerto Rico.''.

SA 1518. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—OUTER CONTINENTAL SHELF

SEC. 801. PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.

Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following:

''(q) PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—Notwithstanding any other provision of this section or any other law, the Secretary of the Interior shall not issue a lease for the exploration, development, or production of oil, natural gas, or any other mineral in—

''(1) the Mid-Atlantic planning area; or

''(2) the North Atlantic planning area.''.

SA 1519. Mr. KOHL (for himself, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. BIDEN, Ms. SNOWE, Mr. FEINGOLD, Mr. SCHUMER, Mr. COBURN, Mr. DURBIN, Mr. LIEBERMAN, Mrs. BOXER, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NO OIL PRODUCING AND EXPORTING CARTELS ACT OF 2007.

(a) SHORT TITLE.—This section may be cited as the ''No Oil Producing and Exporting Cartels Act of 2007'' or ''NOPEC''.

(b) SHERMAN ACT.—The Sherman Act (15 U.S.C. 1 et seq.) is amended by adding after section 7 the following:

''SEC. 7A. OIL PRODUCING CARTELS.

''(a) IN GENERAL.—It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—

''(1) to limit the production or distribution of oil, natural gas, or any other petroleum product;

''(2) to set or maintain the price of oil, natural gas, or any petroleum product; or

''(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product;

when such action, combination, or collective action has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.

''(b) SOVEREIGN IMMUNITY.—A foreign state engaged in conduct in violation of subsection (a) shall not be immune under the doctrine of sovereign immunity from the jurisdiction or judgments of the courts of the United States in any action brought to enforce this section.

''(c) INAPPLICABILITY OF ACT OF STATE DOCTRINE.—No court of the United States shall decline, based on the act of state doctrine, to make a determination on the merits in an action brought under this section.

''(d) ENFORCEMENT.—The Attorney General of the United States may bring an action to enforce this section in any district court of the United States as provided under the antitrust laws.''.

(c) SOVEREIGN IMMUNITY.—Section 1605(a) of title 28, United States Code, is amended—

(1) in paragraph (6), by striking ''or'' after the semicolon;

(2) in paragraph (7), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(8) in which the action is brought under section 7A of the Sherman Act.''.

SA 1520. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 255. SUPPORT FOR ENERGY INDEPENDENCE OF THE UNITED STATES.

It is the policy of the United States to provide support for projects and activities to facilitate the energy independence of the United States so as to ensure that all but 10 percent of the energy needs of the United States are supplied by domestic energy sources by calendar year 2017.

SEC. 256. ENERGY POLICY COMMISSION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a commission, to be known as the ''National Commission on Energy Independence'' (referred to in this section as the ''Commission'').

(2) MEMBERSHIP.—The Commission shall be composed of 15 members, of whom—

(A) 3 shall be appointed by the President;

(B) 3 shall be appointed by the majority leader of the Senate;

(C) 3 shall be appointed by the minority leader of the Senate;

(D) 3 shall be appointed by the Speaker of the House of Representatives; and

(E) 3 shall be appointed by the minority leader of the House of Representatives.

(3) CO-CHAIRPERSONS.—

(A) IN GENERAL.—The President shall designate 2 co-chairpersons from among the members of the Commission appointed.

(B) POLITICAL AFFILIATION.—The co-chairpersons designated under subparagraph (A) shall not both be affiliated with the same political party.

(4) DEADLINE FOR APPOINTMENT.—Members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(5) TERM; VACANCIES.—

(A) TERM.—A member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—Any vacancy in the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment.

(b) PURPOSE.—The Commission shall conduct a comprehensive review of the energy policy of the United States by—

(1) reviewing relevant analyses of the current and long-term energy policy of, and conditions in, the United States;

(2) identifying problems that may threaten the achievement by the United States of long-term energy policy goals, including energy independence;

(3) analyzing potential solutions to problems that threaten the long-term ability of the United States to achieve those energy policy goals; and

(4) providing recommendations that will ensure, to the maximum extent practicable, that the energy policy goals of the United States are achieved.

(c) REPORT AND RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than December 31 of each of calendar years 2009, 2011, 2013, and 2015, the Commission shall submit to Congress and the President a report on the progress of United States in meeting the long-term energy policy goal of energy independence, including a detailed statement of

the findings, conclusions, and recommendations of the Commission.

(2) LEGISLATIVE LANGUAGE.—If a recommendation submitted under paragraph (1) involves legislative action, the report shall include proposed legislative language to carry out the action.

(d) COMMISSION PERSONNEL MATTERS.—

(1) STAFF AND DIRECTOR.—The Commission shall have a staff headed by an Executive Director.

(2) STAFF APPOINTMENT.—The Executive Director may appoint such personnel as the Executive Director and the Commission determine to be appropriate.

(3) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(4) FEDERAL AGENCIES.—

(A) DETAIL OF GOVERNMENT EMPLOYEES.—

(i) IN GENERAL.—Upon the request of the Commission, the head of any Federal agency may detail, without reimbursement, any of the personnel of the Federal agency to the Commission to assist in carrying out the duties of the Commission.

(ii) NATURE OF DETAIL.—Any detail of a Federal employee under clause (i) shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(B) TECHNICAL ASSISTANCE.—Upon the request of the Commission, the head of a Federal agency shall provide such technical assistance to the Commission as the Commission determines to be necessary to carry out the duties of the Commission.

(e) RESOURCES.—

(1) IN GENERAL.—The Commission shall have reasonable access to materials, resources, statistical data, and such other information from Executive agencies as the Commission determines to be necessary to carry out the duties of the Commission.

(2) FORM OF REQUESTS.—The co-chairpersons of the Commission shall make requests for access described in paragraph (1) in writing, as necessary.

SA 1521. Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 177, after line 21, add the following:

SEC. 279. COMPACT FLUORESCENT LIGHTING GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) LOW-INCOME HOUSEHOLD.—The term ''low-income household'' means a household with a total annual household income that does not exceed the greater of—

(A) an amount equal to 150 percent of the poverty level of a State; or

(B) an amount equal to 60 percent of the State median income.

(2) MEDIUM BASE COMPACT FLUORESCENT LAMP.—The term ''medium base compact fluorescent lamp'' has the meaning given the term in section 321(30)(S) of the Energy Policy and Conservation Act (42 U.S.C. 6291(30)(S)).

(3) POVERTY LEVEL.—The term ''poverty level'' has the meaning given the term in section 2603 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8622).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(5) STATE.—The term ''State'' means—

(A) a State; and

(B) the District of Columbia.

(6) STATE MEDIAN INCOME.—The term ''State median income'' has the meaning given the term in section 2603 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8622).

(b) COMPACT FLUORESCENT LIGHTING GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish and carry out a program under which the Secretary shall provide grants to States for the distribution of medium base compact fluorescent lamps to households in the State.

(2) APPLICATION REQUIREMENTS.—To be eligible to receive a grant under this section a State shall—

(A) submit to the Secretary an application, in such form and by such date as the Secretary may specify, that contains—

(i) a plan describing the means by which the State will use the grant funds; and

(ii) such other information as the Secretary may require; and

(B) agree—

(i) to conduct public education activities to provide information on—

(I) the efficiency of using medium base compact fluorescent lamps; and

(II) the cost savings associated with using medium base compact fluorescent lamps;

(ii) to conduct outreach activities to ensure, to the maximum extent practicable, that households in the State are informed of the distribution of the medium base compact fluorescent lamps in the State;

(iii) to coordinate activities under this section with similar and related Federal and State programs; and

(iv) to comply with such other requirements as the Secretary may establish.

(3) PRIORITY.—A State that receives a grant under this section shall give priority to distributing medium base compact fluorescent lamps to low-income households in the State.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $50,000,000 to carry out this section.

(2) CONGRESSIONAL INTENT.—It is the intent of Congress that the amounts made available under this section shall supplement, not supplant, amounts provided under sections 361 through 364 of the Energy Policy and Conservation Act (42 U.S.C. 6321 through 6324).

SA 1552. Mr. CRAIG submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—NATIONAL GEOLOGIC MAPPING

SEC. 801. SHORT TITLE.

This title may be cited as the ''National Geologic Mapping Reauthorization Act of 2007''.

SEC. 802. FINDINGS.

Section 2(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31a(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) although significant progress has been made in the production of geologic maps since the establishment of the national cooperative geologic mapping program in 1992, no modern, digital, geologic map exists for approximately 75 percent of the United States;''; and

(2) in paragraph (2)—

(A) in subparagraph (C), by inserting ''homeland and'' after ''planning for'';

(B) in subparagraph (E), by striking ''predicting'' and inserting ''identifying'';

(C) in subparagraph (I), by striking ''and'' after the semicolon at the end;

(D) by redesignating subparagraph (J) as subparagraph (K); and

(E) by inserting after subparagraph (I) the following:

''(J) recreation and public awareness; and''; and

(3) in paragraph (9), by striking ''important'' and inserting ''available''.

SEC. 803. PURPOSE.

Section 2(b) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31a(b)) is amended by inserting ''and management'' before the period at the end.

SEC. 804. DEADLINES FOR ACTIONS BY THE UNITED STATES GEOLOGICAL SURVEY.

Section 4(b)(1) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c(b)(1)) is amended in the second sentence—

(1) in subparagraph (A), by striking ''not later than'' and all that follows through the semicolon and inserting ''not later than 1 year after the date of enactment of the National Geologic Mapping Reauthorization Act of 2007;'';

(2) in subparagraph (B), by striking ''not later than'' and all that follows through ''in accordance'' and inserting ''not later than 1 year after the date of enactment of the National Geologic Mapping Reauthorization Act of 2007 in accordance''; and

(3) in the matter preceding clause (i) of subparagraph (C), by striking ''not later than'' and all that follows through ''submit'' and inserting ''submit biennially''.

SEC. 805. GEOLOGIC MAPPING PROGRAM OBJECTIVES.

Section 4(c)(2) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c(c)(2)) is amended—

(1) by striking ''geophysical-map data base, geochemical-map data base, and a''; and

(2) by striking ''provide'' and inserting ''provides''.

SEC. 806. GEOLOGIC MAPPING PROGRAM COMPONENTS.

Section 4(d)(1)(B)(ii) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c(d)(1)(B)(ii)) is amended—

(1) in subclause (I), by striking ''and'' after the semicolon at the end;

(2) in subclause (II), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(III) the needs of land management agencies of the Department of the Interior.''.

SEC. 807. GEOLOGIC MAPPING ADVISORY COMMITTEE.

(a) MEMBERSHIP.—Section 5(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(a)) is amended—

(1) in paragraph (2)—

(A) by inserting ''the Secretary of the Interior or a designee from a land management agency of the Department of the Interior,'' after ''Administrator of the Environmental Protection Agency or a designee,'';

(B) by inserting ''and'' after ''Energy or a designee,''; and

(C) by striking '', and the Assistant to the President for Science and Technology or a designee''; and

(2) in paragraph (3)—

(A) by striking ''Not later than'' and all that follows through ''consultation'' and inserting ''In consultation'';

(B) by striking ''Chief Geologist, as Chairman'' and inserting ''Associate Director for Geology, as Chair''; and

(C) by striking ''one representative from the private sector'' and inserting ''2 representatives from the private sector''.

(b) DUTIES.—Section 5(b) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(b)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

''(3) provide a scientific overview of geologic maps (including maps of geologic-based hazards) used or disseminated by Federal agencies for regulation or land-use planning; and''.

(c) CONFORMING AMENDMENT.—Section 5(a)(1) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(a)(1)) is amended by striking ''10-member'' and inserting ''11-member''.

SEC. 808. FUNCTIONS OF NATIONAL GEOLOGIC-MAP DATABASE.

Section 7(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31f(a)) is amended—

(1) in paragraph (1), by striking ''geologic map'' and inserting ''geologic-map''; and

(2) in paragraph (2), by striking subparagraph (A) and inserting the following:

''(A) all maps developed with funding provided by the National Cooperative Geologic Mapping Program, including under the Federal, State, and education components;''.

SEC. 809. BIENNIAL REPORT.

Section 8 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31g) is amended by striking ''Not later'' and all that follows through ''biennially'' and inserting ''Not later than 3 years after the date of enactment of the National Geologic Mapping Reauthorization Act of 2007 and biennially''.

SEC. 810. AUTHORIZATION OF APPROPRIATIONS; ALLOCATION.

Section 9 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31h) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $64,000,000 for each of fiscal years 2007 through 2016.''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''2000'' and inserting ''2005'';

(B) in paragraph (1), by striking ''48'' and inserting ''50''; and

(C) in paragraph (2), by striking 2 and inserting ''4''.

SA 1523. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXTENSION OF AUTHORITY FOR ESTABLISHING DISABLED VETERANS MATERIAL.

Public Law 106–348 is amended—

(1) in subsection (b)—

(A) by striking ''The establishment'' and inserting ''Except as provided in subsection (e), the establishment''; and

(B) by striking ''the Commemorative Works Act (40 U.S.C. 1001 et seq.)'' and inserting ''chapter 89 of title 40, United States Code'';

(2) in subsection (d)—

(A) by striking ''section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b))'' and inserting ''section 8906 of title 40, United States Code'';

(B) by striking ''or upon expiration of the authority for the memorial under section 10(b) of such Act (40 U.S.C. 1010(b)),''; and

(C) by striking ''section 8(b)(1) of such Act (40 U.S.C. 1008(b)(1)'' and inserting ''8906(b)(2) or (3) of such title''; and

(3) by adding at the end the following new subsection:

''(e) TERMINATION OF AUTHORITY.—Notwithstanding section 8903(e) of title 40, United States Code, the authority to establish a memorial under this section shall expire on October 24, 2015.''.

SA 1524. Mr. SALAZAR (for himself, Mr. GRASSLEY, Mr. OBAMA, Mr. HARKIN, Mr. HAGEL, Mr. LUGAR, Mr. FEINGOLD, Mrs. CLINTON, Mr. CASEY, Mr. NELSON of Nebraska Mr. BROWNBACK, Mr. KOHL, Mr. KERRY, Mr. JOHNSON, Mr. TESTER, Ms. CANTWELL, Mr. THUNE, and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 27, after line 23, add the following:

SEC. 113. SENSE OF CONGRESS RELATING TO THE USE OF RENEWABLE RESOURCES TO GENERATE ENERGY.

(a) FINDINGS.—Congress finds that—

(1) the United States has a quantity of renewable energy resources that is sufficient to supply a significant portion of the energy needs of the United States;

(2) the agricultural, forestry, and working land of the United States can help ensure a sustainable domestic energy system;

(3) accelerated development and use of renewable energy technologies provide numerous benefits to the United States, including improved national security, improved balance of payments, healthier rural economies, improved environmental quality, and abundant, reliable, and affordable energy for all citizens of the United States;

(4) the production of transportation fuels from renewable energy would help the United States meet rapidly growing domestic and global energy demands, reduce the dependence of the United States on energy imported from volatile regions of the world that are politically unstable, stabilize the cost and availability of energy, and safeguard the economy and security of the United States;

(5) increased energy production from domestic renewable resources would attract substantial new investments in energy infrastructure, create economic growth, develop new jobs for the citizens of the United States, and increase the income for farm, ranch, and forestry jobs in the rural regions of the United States;

(6) increased use of renewable energy is practical and can be cost effective with the implementation of supportive policies and proper incentives to stimulate markets and infrastructure; and

(7) public policies aimed at enhancing renewable energy production and accelerating technological improvements will further reduce energy costs over time and increase market demand.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should—

(1) provide from renewable resources not less than 25 percent of the total energy consumed in the United States; and

(2) continue to produce safe, abundant, and affordable food, feed, and fiber.

SA 1525. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, between lines 2 and 3, insert the following:

SEC. 269. STANDARD RELATING TO SOLAR HOT WATER HEATERS.

Section 305(a)(3)(A) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(A)) (as amended by section 266) is amended—

(1) in clause (i)(III), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) if life-cycle cost-effective, not less than 30 percent of the hot water demand for each new or substantially modified Federal building be met through the installation and use of solar hot water heaters.''.

SA 1526. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXTENSION AND MODIFICATION OF RENEWABLE ELECTRICITY PRODUCTION CREDIT.

(a) EXTENSION.—Paragraphs (1), (2), (3), (4), (5), (6), (7), and (9) of section 45(d) of the Internal Revenue Code of 1986 (relating to qualified facilities) are each amended by

striking ''January 1, 2009'' each place it appears and inserting ''January 1, 2013''.

(b) MODIFICATION OF INFLATION ADJUSTMENT.—Paragraph (2) of section 45(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''No adjustment shall be made under this paragraph with respect to the 1.5 cent amount in subsection (a) and the 8 cent amount in paragraph (1) for any year after 2007.''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to energy produced and sold after the date of the enactment of this Act, in taxable years ending after such date.

SEC. ___. EXTENSION AND EXPANSION OF CREDIT TO HOLDERS OF CLEAN RENEWABLE ENERGY BONDS.

(a) EXTENSION.—Section 54(m) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2008'' and inserting ''2012''.

(b) ANNUAL VOLUME CAP FOR BONDS ISSUED DURING EXTENSION PERIOD.—Subsection (f) of section 54 of the Internal Revenue Code of 1986 (relating to limitation on amount of bonds designated) is amended to read as follows:

''(f) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—

''(1) ANNUAL NATIONAL LIMITATION.—There is a national clean renewable energy bond limitation for each calendar year of $2,250,000,000.

''(2) ALLOCATION BY SECRETARY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall allocate the amount described in paragraph (1) among qualified projects in such manner as the Secretary determines appropriate.

''(B) LIMITATION ON ALLOCATIONS.—With respect to any calendar year, the Secretary may not allocate—

''(i) more than $750,000,000 of the amount described in paragraph (1) to finance qualified projects of qualified borrowers which are public power entities,

''(ii) more than $250,000,000 of the amount described in paragraph (1) to finance qualified projects of qualified borrowers which are Indian tribes,

''(iii) more than $500,000,000 of the amount described in paragraph (1) to finance qualified projects of qualified borrowers which are government entities (other than public power entities or Indian tribes), and

''(iv) more than $750,000,000 of the amount described in paragraph (1) to finance qualified projects of qualified borrowers which are cooperative electric companies or cooperative lenders.

''(C) PUBLIC POWER ENTITY.—For purposes of subparagraph (B), the term 'public power entity' means a State utility with a service obligation, as such terms are defined in section 217 of the Federal Power Act.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after December 31, 2007.

SA 1527. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—ETHANOL TARIFF EXTENSION

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Ethanol Tariff Extension and Caribbean Basin Initiative Investigation Act''.

SEC. ___02. EXTENSION OF ADDITIONAL DUTY ON ETHANOL.

(a) IN GENERAL.—Subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States is amended by striking ''1/1/2009'' in the effective period column and inserting ''1/1/2011''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. ___03. FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''Renewable Energy Fund'' (referred to in this section as the ''Fund''), consisting of such amounts as may be transferred or credited to the Fund under subsection (b).

(b) TRANSFERS TO FUND.—Subject to subsection (c), the Secretary of the Treasury shall transfer to the Fund out of the general fund of the Treasury amounts determined by the Secretary to be equivalent to the amounts received into such general fund that are attributable to the duty imposed under subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States.

(c) EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Up to $100,000,000 for fiscal year 2009 and up to $150,000,000 for fiscal year 2010 shall be available from the Fund, as provided in appropriation Acts, for the purposes described in section 206(c) of the Energy Policy Act of 2005 (42 U.S.C. 15853(c)).

(2) EXCESS AMOUNTS.—Any amount attributable to the duty imposed under subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States that exceeds the amounts authorized in paragraph (1) for fiscal year 2009 or 2010 shall be returned to the general fund of the Treasury.

(d) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

SEC. ___04. STUDY AND INVESTIGATION OF ETHANOL FROM CERTAIN CARIBBEAN BASIN COUNTRIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall conduct a study into the source and quantity of ethanol, classifiable under subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States, that is imported into the United States from any country that is designated as a beneficiary country under the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.).

(b) CONTENTS OF STUDY.—The study required by subsection (a) shall include the following:

(1) An identification of all countries that are not beneficiary countries designated under the Caribbean Basin Economic Recovery Act that produce ethanol that is imported duty-free into the United States through a country that is a beneficiary country under such Act.

(2) A determination of the quantity of ethanol on a country-by-country basis that is imported duty-free into the United States through a country that is a beneficiary country under such Act.

(3) Projections of the potential production capacity of all ofthe countries designated as beneficiary countries under such Actto dehydrate and export ethanol that originates in countries that are not beneficiary countries designated under such Act. The projections shall be made without regard to any import quotas relating to such beneficiary countries.

(4) A determination of the impact on the domestic and international marketplace of duty-free treatment for ethanol imported from countries designated as beneficiary countries under such Act with and without the current import quotas.

(5) A determination of the economic impact on countries designated as beneficiary countries under such Act if ethanol were not provided duty-free treatment and whether a stable political and economic climate would exist in the Caribbean region if duty-free treatment were not provided for ethanol.

(c) REPORT.—Not later than 30 days after the Secretary concludes the study described in subsection (b), the Secretary shall report to Congress on the results of that study, including the Secretary's conclusions regarding—

(1) the quantity of ethanol being passed through countries that are designated as beneficiary countries under the Caribbean Economic Recovery Act;

(2) where that ethanol originates;

(3) what the potential production capacity is for countries in the Caribbean region to act as a conduit for foreign ethanol if the current quota system is eliminated;

(4) what the economic impact on the domestic ethanol industry would be if the quota were eliminated; and

(5) whether the current duty-free treatment contributes to the political and economic stability of the Caribbean Basin region.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the oversight hearing before the Committee on Energy and Natural Resources to consider the preparedness of Federal land management agencies for the 2007 wildfire season and to consider recent reports on the agencies' efforts to contain the costs of wildfire management activities has been rescheduled.

The rescheduled hearing will be held on Tuesday, June 26, 2007, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510–6150, or by e-mail to rachel___pasternack@energy.senate.gov.

For further information, please contact Scott Miller or Rachel Pasternack.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 12, 2007, at 9:30 a.m., in open session to consider the following nominations:

Mr. Michael G. Vickers to be Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict;

VADM Eric T. Olson, USN, for appointment to the grade of Admiral and to be Commander, U.S. Special Operations Command; and

The Honorable Thomas P. D'Agostino to be Under Secretary for Nuclear Security, Department of Energy and Administrator of the National Nuclear Security Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Tuesday, June 12, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building.

The hearing will focus on a recent proposal of the Federal-State Joint Board on Universal Service to limit the amount of universal service funding available to competitive eligible telecommunications carriers.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, June 12, 2007 at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled ''Examination of the Health Effects of Asbestos and Methods of Mitigating Such Impacts.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, June 12, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''Trade Enforcement for a 21st Century Economy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 12, 2007, at 2:30 p.m. to hold a hearing on foreign assistance and a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 12, 2007 at 2:30 p.m. to hold an open hearing concerning Terrorist Ideology.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate, on Tuesday, June 12, 2007, at 2:30 p.m. to conduct a hearing entitled ''Assessing Telework Policies and Initiatives in the Federal Government.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. SALAZAR. Mr. President, I ask unanimous consent that Suzanne Wells from my office be given the privilege of the floor during the consideration of this legislation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Jack Wells on my staff for the duration of the debate on the Energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I ask unanimous consent that a fellow in my office, Charlie Garlow, be granted floor privileges for the duration of the Energy bill debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE UNIVERSITY OF COLORADO AT BOULDER MEN'S CROSS COUNTRY TEAM

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 232, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 232) congratulating the University of Colorado at Boulder Men's Cross Country team for winning the 2006 National Collegiate Athletic Association Division I Men's Cross Country Championship.

There being no objection, the Senate proceeded to consider the resolution.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 232) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 232

Whereas, on November 20, 2006, the University of Colorado at Boulder men's cross country team (referred to in this preamble as the ''Colorado Buffaloes'') won the 2006 National Collegiate Athletic Association (NCAA) Division I Men's Cross Country National Championship in Terre Haute, Indiana;

Whereas the Colorado Buffaloes team of junior Brent Vaughn, junior Stephen Pifer, senior Erik Heinonen, junior James Strang, and senior Billy Nelson won the NCAA Cross Country Championships with a score of 94, which was 48 points ahead of their nearest opponent;

Whereas this championship is the Colorado Buffaloes men's cross country team's 3rd national championship and also their 3rd championship in 6 years;

Whereas the Colorado Buffaloes won the Big 12 Conference Championship for the 11th consecutive year and the NCAA Mountain Region Championship for the 4th consecutive year in 2006;

Whereas senior Erik Heinonen and junior Brent Vaughn were named to the United States Track and Field and Cross Country Coaches Association (USTFCCCA) All-Academic Men's Team;

Whereas Colorado Buffaloes Head Coach Mark Wetmore was named USTFCCCA Men's Cross Country Coach of the Year for 2006;

Whereas Colorado Buffaloes Head Coach Mark Wetmore has successfully coached the University of Colorado men's and women's cross country teams to top 10 finishes in all of his 12 years as head coach; and

Whereas this championship marks the 23rd national title in the University of Colorado's athletic history and the 2nd championship of 2006: Now, therefore, be it

Resolved, That the Senate—

(1) Congratulates the University of Colorado men's cross country team, the Colorado Buffaloes, for winning the 2006 NCAA Division I Men's Cross Country Championship;

(2) Recognizes the achievements of all the players, coaches, students, and support staff whose dedication was instrumental in helping the Colorado Buffaloes win the 2006 NCAA Division I Men's Cross Country Championship; and

(3) Respectfully requests the Secretary of the Senate to transmit copies of this resolution to the following for appropriate display—

(A) The University of Colorado at Boulder;

(B) The President of the University of Colorado, Hank Brown;

(C) The Chancellor of the University of Colorado at Boulder, Dr. G.P. ''Bud'' Peterson;

(D) The Athletic Director of the University of Colorado at Boulder, Mike Bohn; and

(E) The Head Coach of The University of Colorado at Boulder men's cross country team, Mark Wetmore.

REPEALING CERTAIN SECTIONS OF THE ACT OF MAY 26, 1936, PERTAINING TO THE VIRGIN ISLANDS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 44, H.R. 57.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 57) to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands.

There being no objection, the Senate proceeded to consider the bill.

Ms. KLOBUCHAR. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 57) was ordered to be read a third time, was read the third time, and passed.

ORDERS FOR WEDNESDAY, JUNE 13, 2007

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, June 13; that on Wednesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day, and there be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the first half under the control of the majority and the second half under the control of the Republicans; that 20 minutes of the majority time be under the control of Senator BROWN or his designee; that upon the conclusion of morning business, the Senate resume consideration of H.R. 6, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. KLOBUCHAR. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, June 13, 2007, at 9:30 a.m.